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# ROMANCE ON EL CAMINO REAL

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FATHER ALOYSIUS AND THE SUPERIOR

# ROMANCE ON EL CAMINO REAL

*Reminiscences and Romances Where the Footsteps of the Padres Fall*

BY

JARRETT T. RICHARDS, L.L.B.

*Illustrations by*
*ALEXANDER F. HARMER*
*Santa Barbara, Cal.*

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PS
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TO

THOMAS R. BARD

MY PLAYMATE, SCHOOLFELLOW AND LIFELONG
FRIEND, I DEDICATE THIS WORK

THE AUTHOR

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# ROMANCE ON EL CAMINO REAL

## CHAPTER I

### ST. AGNES

You may not be able to find among the patron saints of the old missions of Alta California or among the towns that dot its valleys west of the Coast Range of mountains; nor even if you had time to devote a twelve months' diligent search in that huge wastebasket, known as Bancroft's Native Races, would you probably encounter a namesake in any familiar favored spot of California, of that pure virgin martyr, "the chaste," "the lamb," Saint Agnes. And yet she has her vestal shrine within its walls, and guards with her patronage a venerable mission church upon El Camino Real, the Royal Road that rambled from cross to cross, following the footsteps of the Padres, along the coast of California, linking together those temples of faith and zeal and schools of Christian civilization, the Franciscan missions, and bestowed her sweet name upon a picturesque town at its feet, and a beautiful valley locked by ever-silent mountains and never speechless ocean, and upon — here poetry must stop — a political corporation existing under the constitution of the State of California, and called a county, and located somewhere between San Francisco and San Diego, near the 34th parallel of latitude. I am sure that I am correct in the designation, although I am anything but an infallible archæologist and correct geographer, and have an extremely poor memory for names. Any reader more familiar with the country and calendar will please correct the error, if any, *en passant*. But there are reasons why it must be Saint Agnes. Was not she that pure Roman maiden

who suffered martyrdom by the headsman's ax, rather than make any other than a heavenly alliance; whose chaste soul felt that it could not exist within a body defiled by carnal touch; whose sweet image smiles upon and watches over maidenly innocence? Are not the sun's rays in this genial clime of which I am about to speak, caressing and fervent and the moon's beams wicked and witching, and the nights balmy and seductive; and is not the blood warm and rich in the veins of the Southern maidens, and is not the blush deep and red on their full rounded cheeks? Do they not burst in a moment from tiny infant bud into womanly bloom? And is not the heart of woman the cradle of love? And does not love beneath Southern skies grow large and strong and unruly? And was it not a part of the mission of the holy fathers to make the dusky virgins of the forest know that there exists a Christian grace that, above all others, they should keep enshrined in their bosom, chastity? And then the legend bears me out, that on the 21st day of January of every year since 1790, at midnight, this brave and gentle saint leaves her shrine in the old mission, and taking with her her vestal lamp visits the bedside of every virgin within the circle of her protection, and displays to the sleeping one her beatified face and asks if she, too, would not, for purity's sake, suffer martyrdom. And when the visitation is done, just before the peep of dawn, she puts down her lamp with a sigh, and the bells in the tower tremble and send forth a plaint; for never since the day the old fathers invoked her name and blessed endowment, has a single one of these worldly maidens preferred to have her pretty little head chopped off to being mated to a gallant and robust youth.

In St. Agnes then it was, on an Autumn morning before the first rains, when the hills were brown, the valleys parched, the rivers dwindled to rivulets — tiny silver streams threading their way among round stones and bowlders and over quicksands, through the broad river-bed that marked the wayward course of the winter torrent, and the roads were ankle deep in dust and the oak-leaves smutty and dust begrimmed and cobwebbed like the black bottles in a venerable wine cellar, that the overland stage conducted by the Hon. Wm. McElhenny, driver, drawn by six half-broken mustangs, accompanied by a very disagreeable dirty, north-west wind

THE ARRIVAL AT THE ST. LOUIS

which had been ever since sunrise enveloping horses, passengers and coach in a cloud of dust and sand, stopping up the ears, blinding the eyes, choking the throat and sand-papering the teeth of Herman Thomas who held the seat of honor on the box, drove up to the St. Louis Hotel, the horses flying by at a gallop and stopping instantly as the coach faced the barroom door. "Hello Billy! How are you, old boy?" was the greeting from the bystanders, with a smile to the distinguished driver — nobody looked at the Honorable Billy without smiling —" it is fine weather you have brought us from across the mountains."

"Yes, by gollee," said a short gentleman in his shirt-sleeves, with a round jolly face, adorned on each side with a little black rabbit-tail, supporting with his fat hands a belly as plump and round and quivering as that of St. Nicholas, with a complaining voice and a shuffling walk, "you bring de vind of de nord and ze sands of de southern desert."

"Now, my emaciated friend," said the gentleman on the box, who had preserved the becoming dignity of the autocrat of the road, and simply nodded his head to the salutations of his friends, "apply some electricity to that articulated form of yours, and do the honors of your hotel in regal style to this eminent lawyer, Mr. Thomas, who comes to me with letters of introduction from the prominent professional men of Europe and America, among them a personally autographed one from my old friend Dan Rice, formerly of the arena, now running on the Democratic ticket for member of Congress. Don't put him upstairs with the women and consumptives, but give him an airy room in the corral, with a china wash-basin and a bottle of flea powder, as the gentleman has been reared in luxury; and let him dine with the cattlemen, surveyors and the rest of the eelight in the small dining-room and treat him to some marrow bones and a bottle of Burgundy on my account. Mr. Thomas, Mr. Latour, a French gentleman of distinguished birth, but reduced in circumstances, at present proprietor of the St. Louis."

Herman was somewhat embarrassed by this introduction, but he was ready for the occasion, caught the glances of the lookers-on with a twinkle of the eye, and invited Mr.

McElhenny formally to share the sumptuous repast he had commanded for him, and was in an instant at home with Mr. Latour, who was to him a familiar Boniface, after his own heart.

The St. Louis was the new and fashionable hotel, just opened, directly under the contemptuous nose of the American hotel across the street, kept by a lank red-headed Yankee in true Western style. It was a square, substantially built and, rare to see, two-storied adobe house, with a prismatic-shaped shingle roof; the first story devoted to bar-room,— or office, as it was spoken of before the ladies,— billiard room, and dining-rooms, and the second story containing a little reception room and bedrooms, whose doors and windows opened out upon a corridor, which, supported by plain unornamented wooden posts, ran around three sides of the house. It was on this corridor, the serenaders used to play and sing, and softly whispering couples walked to and fro on luscious nights of semi-tropical warmth; and from it Herman first heard poor Joe's birdlike voice carol forth like a nightingale upon the startled air, in that simple, touching ballad written for him by some loving friend and sung, oh! with so much sweetness, and tear-provoking tenderness, "Do not wound the heart that loves thee." In how many hearts in California do the strains of this melody still echo and the plaintive words still linger? No other name than Joe need I give to recall the beloved singer who fell into the arms of death with a heavenly strain upon his lips. The courtyard, termed by the Hon. William, corral, entered from the street by a huge gateway, presented the appearance of a barracks; there was a long, low, shed-like building, divided into little single bedrooms with half glass doors and with the exception of the one at the end, no windows, and supplied with a cot and a chair and a small wash-stand, ample accommodations for a single gentleman in a Cow County. To the one with the window was Herman, with kindly distinction, assigned, and somehow or other, when he looks back, he thinks it was much more comfortable than many bed chambers he has occupied since, more luxurious in appearance, but with few if any of the pictures with which youth's fancy glorified the walls. Herman says that he

never ate a better dinner at the Trois Freres in Paris than was served him at the St. Louis in St. Agnes that night, and the veritable Bordeaux with the chill taken off it, not only sent a tingling warmth through his veins, but lit a comfortable fire in his heart and painted bright images on the andirons of his fancy. He had that afternoon taken a fine sleep, after three days and nights staging, and felt comfortable and contented with himself and with his future abiding place, which looked dreary enough upon its first appearance to him through the dust storm. He sipped his coffee laced with fragrant Kirschwasser, and felt that his lines were cast in pleasant places; that whatever might be the obstacles in his future pathway, whatever his hardships and cares, he could find that great solacer, that mediator between an unappreciative world and dissatisfied man, that magician of generous impulses, kindly thoughts, forgiveness and charity, a good dinner. He felt that it must be a rich country and a prosperous people who could support that dearest of all luxuries, an inspired culinary artist. From the casual glance at the scrambling village of adobes he expected rather to be obliged to dine on a pig roasted *à la* Charles Lamb. He soon learned that there were also people of cosmopolitan education and good-breeding, competent to appreciate, and during the ten odd years of flush times, able to pay for Mr. Latour's choice repasts, so that the good landlord grew rich apace till in the zenith of his prosperity, he waxed ambitious, and erected a grand hotel, just at the time the close-gleaners were coming, which hotel proved to be the mausoleum of his fortunes. At the present day, on a "Falling of the Bastile" or a New Year's day, when he defies the gout, and permits himself to be mellow, he will tell you anecdotes of many distinguished people who have been his guests at the St. Louis, yes, strange to say, in little out-o'-the-way St. Agnes; lords and statesmen and capitalists and political refugees (there were no defaulters in those flush days); and how the great Wm. H. Seward, when on his trip of farewell around the world, paid him the spontaneous compliment that the breakfast given him at the St. Louis was the best he had eaten in hospitable and epicurean California. Besides tourists and land prospectors, there were in St. Agnes a

number of gentlemen, Americans and Englishmen of education and good breeding, true pioneers, nearly all of fine physique, fearless of hard work, and possessing energy, enterprise, enthusiasm and the ever accompanying love of fun and frolic and spirit of deviltry, and who had interests in the different outlaying cattle and sheep ranchos, as proprietors or as major domos; also United States officers, surveyors and engineers, gentlemen of the army, the navy and the marine; and Spaniards and Mexicans who had still some remnants of the proceeds of their former estates, of gentle and polite address and generous free spirit. These were the people who ate Mr. Latour's fine dinners and drank his choice wines and made his hotel rival, in attractions, world-wide distinguished hostelries.

After dinner our host presented Herman to Colonel Morgan, to whom he had a letter of introduction, and who, being advised of his arrival, had come to tender him the *bien venu*.

"Welcome to St. Agnes, Mr. Thomas," said he after the formal words of greeting. "Our mutual friend and your old school fellow told me you were coming to pitch your tent in the land of the olive, vine and fig and make a home with us in Arcadian California. It is hard to tell now what wealth is hidden under its wild grasses, but you will grow to love it, as have I, for its beauty of scenery and sweetness of climate in which it surpasses my old Southern home; and, since the war has devastated that and demolished the venerable household gods which endeared us to the family homestead, I am well content to end my days here, in peace and quiet. All we request is a society of refined people who will appreciate its loveliness and prevent its becoming a hermitage. I understand you have, on the other side of the border, suffered from the vandalism of war, and we thus have a common bond of sympathy and must be good friends."

"I am sure we will," said Herman, "only you must have patience with a youngster who knows little or nothing of pioneer life and overlook his folly and help him with your advice."

"The advice of one who has passed the prime of life, and has gone through varied scenes of prosperity and ad-

versity, you can always have from me; but I fear I am and shall continue to be more of an awkward child in what you call knowledge of pioneer life than you, who are young and can quickly adapt yourself to new and strange ways of unfamiliar people. But of that later; the night is charming, nearly all the nights here are, and I suggest we take a stroll through the town," and they started to go out.

Col. Morgan possessed a winning address that at once attracted Herman to him and destroyed his shyness and gained him his confidence. He was, beyond doubt, a gentleman, and one of the old school, as we like to term those great-hearted and simple-natured characters, gentle and charitable in all their acts, kindly in their words, never wounding the feelings of others, never having been guilty of and utterly unable to understand a practical joke, doing all sorts of queer things, displaying a lamentable ignorance and disregard of modern tricks and manners, laughed at and loved, mimicked and respected. Of dignified bearing, he was tall, rather slender, with iron grey hair and beard, large blue eyes and a pleasant smile, and in ordinary conversation his tones were low and musical and he hesitated a little in his speech, but when aroused, spoke with rapidity and energy.

While they had been conversing in the billiard room, which was the rendezvous of the frequenters of the hotel, there was in progress at a small table, in the corner, what was evidently an unusually interesting game of poker, from the attention it attracted and comment it elicted from a bevy of onlookers. As they passed by on their way to the street, the bystanders suddenly moved back of the table and obstructed their progress, at the same time, one of the players exclaimed angrily:

"You are a grand cheat, a great swindler; if you put your hand on a dollar of that pot, I'll send you to hell in one little instant."

It was a small man, well dressed, with little black eyes that seemed to flash fire, and a slight foreign accent. He had one hand on a pile of twenty-dollar pieces in the center of the table, and in the other was holding up two cards. His opponent, who was a tall man, in a dirty white

waistcoat and long-tailed black coat and high-crowned yellow hat, and face like a wrinkled blistered piece of old parchment, had thrown down his hand, consisting apparently of five cards, and the winning one, when the other placed his hand upon one of the cards and pressing it tightly to the cloth had drawn it across the table, producing a second card which had been skillfully attached to its imperceptibly gummed back.

"Hands off that money, sah, or by God, sah, I will cut your d——d heart out; you insult a gentleman, sah," exclaimed the tall man, drawing an immense bowie knife from some mysterious place — it seemed to come from his arm pit; but he had scarcely brandished it, when the little man was standing upon his chair opposite and held an ugly looking revolver within unpleasant proximity to the other gentleman's nose; the hand not occupied with the pistol had, in the meantime, by a couple of amazingly dexterous movements, pocketed all the coin.

"A gentleman, yes, a fine gentleman. You are not even a gentlemanly *chevalier d'industrie,* you are a low, *vulgaire saltambique.* In my country they would call you a common thief," said the little man, and his eyes seemed to shoot sparks, and his finger nervously twitched about the trigger. Just then mine host elbowed his way to the table.

"By gollee, Messieurs, I have no desire to baptize my hotel vid a coroner's inquest. Mr. Sigismund you vill please return to ze back pocket of your pantelon de card vich you hold in your hand; it is too grand a trompe, it vill beat four aces all ze time. General, if you vish to make brochette of Mr. Sigismund, you take him in ze kitchen, vere dere is good block, and de stains vill not spoil it."

Mr. Sigismund laughed merrily, concealed his trump-card in a jiffy, leaped to the floor, gave his black beard a twirl with his delicate, womanly hand, and taking off his hat, bowed and said:

"Gentlemen, all take a little glass of wine with me."

"No sah," said the General, who had discreetly obeyed a significant glance from Mr. Latour and returned his spit to its hiding place, and was posed, his hat perched upon his forehead, with one hand thrust in the bosom of

his waistcoat and the other impressively holding aloft a bamboo cane with a huge ivory leg as handle, "no, sah, I scorn to stand at the same bar with the man who has grossly insulted me."

"You make a mistake," said the little man, turning his sharp eyes upon him, "I addressed myself to the gentlemen present, not to the sharpers."

"What, sah! Another insult! to me, sah, a Southern gentleman, from Virginia, sah! You shall hear from me; I will have your blood, sah."

Turning to Col. Morgan, he said, at the same time removing his hand from his waistcoat, and slapping him on the shoulder:

"Please act for me. I understand that you are a Southern gentleman, from Georgia."

Col. Morgan shuddered and drew back as if stung by a rattlesnake. His face became scarlet and he exclaimed with anger:

"How dare you lay your hand upon me? I have no acqaintanceship with you and desire none. What do you mean by calling upon me to be your backer in a gambling brawl? A Southern gentleman? Rather a blackguard, disgracing the country you came from."

And the Colonel marched rapidly out of the room, followed by Herman. He walked on for some distance, apparently unconscious of Herman's companionship, muttering to himself, "The villain! The murderer! The idea of touching me." Then waking up suddenly, he said:

"Excuse me, Mr. Thomas, but I have a loathing for that man I cannot suppress. He is a very bad and very low creature and the suspicion rests upon him of the perpetration of a horrible crime.

"What do you think of our little town by moonlight?"

"It is very quaint, and very beautifully situated, and the spirit of romance lurks about it, and there must be many legends in the wild passes of these rough mountains that look like the children of the Alps," and, continuing musingly, he said, "Their dark ravines and hidden fastnesses and dizzy trails could be made to tell many a tale. It only needs a poetic imagination to make them disclose their treasure. And see how oddly the moon looks through the

scraggy branches of that old oak tree down upon that red-tiled roof; an old man's mischief and inquisitiveness are written on his face, and hear the guitar! And what a mellow voice, and such a plaintive air! Haven't you ever noticed how the guitar at night seems strung with chords from nature, and in tune with all her own notes, and accompanying them as well as the lover's song, and how, far away in the distance the breeze bears the tinkling tones beyond the flight of the songster, until at last they die out in a sigh from her great heart? But, you are laughing at me, Colónel Morgan, I am talking more nonsense than I often do, though I think a great deal; but the night and the strange beauty of a new scene bewitch me."

"No; it is a very happy thing to have an imagination which can see and play with the infinite, varied beauties of nature, and I once carried about with me an Aladdin's lamp; but now, while I see and listen to their music and feel their charms, they are no longer wizards with me. My thoughts and my dreams have dear living images that have absorbed or banished the ideals. I mean my two daughters, and you will excuse me, if I often talk about them; you know how garrulous a fond father becomes about his children."

"Are they with you here?" said Herman.

"No; they have just sailed from New York, and God willing, we shall eat our Christmas dinner together. Here is to be our little home," said he, stopping before a place which had attracted Herman's attention and admiration as soon as it came in view by its picturesqueness. Somewhat back from the street was an adobe house, one-storied, a quadrangle with a little court facing the street, with red-tiled roof that came down at a sharp angle to the wall's edge and then sloped gently off over a corridor that ran around the three sides of the interior; and snow white walls which could only be seen under the corridor, for they were elsewhere hidden beneath a dense and luxuriant foliage, the glittering green reflected from countless small glazed porcelain-like leaves of a strong fast-clinging, ever blooming rose, among which here and there hung like cotton balls, solid, never-fully opening pure white buds, the fluttering dark and light of the frail Australian pea leaves, the dull-hued, pointed-leaved passion plant with

its naked cross, waiting for the rains to resurrect its purple-robed glory; the woodbine, too, waiting for the winter-spring to form and fill its golden censers with aromatic incense. In the court in a rustic fountain of rough-hewn stone, over which the dew plant crept, the water faintly splashed. On one side of the house stood an old sycamore, large and silver-barked and wide-spreading; not far above the ground its great trunk yielding one-half its hugeness to an arching-limb, which stretched over to a great-butted gnarled live-oak and affectionately mingled its faded yellow leaves with the undying sombre green of its forest companion. On the other side, with contrast still more sharply marked, was a tall poplar tree, rising from a bed of brown, curling, crackling leaves, holding its fasces high up to the sky, beside a mass of trembling, fluttering, flitting, swaying, dancing films of pale and delicate green, hung with bunches of holly; and, sparkling with moon-light spray, a wonderful, joyous, youthful, fickle growth from a great gray, rude, furrowed and knotted stem, looking like a young girl's love budden upon an old man's heart,— the marvelous tree of this frostless clime,— the fairy-formed pepper. Between the two trees, back in a corner, a quaint wind-mill twirled its scrawny arms slowly in the lazy breeze. A hedge of dense Monterey cypress hid the place from the neighboring lot, a high and thick wall of adobe, capped with tiles protected it from inquisitive loiterers on the side-street, while along the front ran an iron fence on top a base of light brownish stone, quarried from the native bowlders. On each side the gate-way was a slender cypress, and from it led straight to the court and then circled around the fountain a broad walk of fine, glittering blue gravel, in which sparkled innumerable brilliant shells, all stolen from the playground of seals in the sea-washed alcoves of the Channel Islands and borne to the mainland in the holds of vessels with the furs of their murdered former possessors.

"You see," said the Colonel, "I have not yet laid out the place. Those inartistic patches of fragant flowers and the creeping plants I have left just as I found them. I made the rustic fountain and erected the wind-mill, as curious a looking one as I could design. When my daughters were in Europe the younger took a great fancy to wind-

mills, and fell in love with the historic one at Pottsdam, and I thought I would surprise her. I have not yet furnished the house. I mean that they shall divert themselves in household as well as in garden work and show their own taste in both. And it is, I am sure, excellent, perfect indeed when they are mutually satisfied."

"Is there a great difference in their ages?" asked Herman.

"No; one is nineteen, the other twenty; but they differ greatly in character. The elder, Martha, in dignified and conscious womanhood, seems to occupy and assert towards Anna the relationship of mother. Anna has a happy, careless, joyous disposition, and will always be a child, and relies entirely upon her sister's advice and direction. I sometimes dread," continued the Colonel, with a sigh, "the effect of a separation of the two upon my poor child daughter."

They strolled back towards the hotel by a different route and through an avenue of luxuriant pepper trees, a narrow lane serving as sidewalk to a broad thoroughfare, carpeted with a lace work of weird shadows, wrought by the moonbeams through the breeze-swayed feathery foliage, which mysterious shadows kept constantly moving, twining and untwining, interlacing and then unravelling themselves like a tangled line cast in the water, keeping time to the chant of the frogs and insects and the surf's monody, while a venerable owl in a neighboring sycamore seemed to solemnly direct the chorus. At the foot of the lane, through a clump of willows, rippled a little creek whose somber banks were the frogs' choir-loft; it was spanned by a rude foot-bridge. Our strollers stood for a few moments upon the bridge, each impressed with the romantic scene and engaged with his own thoughts. From up the stream the water came singing and sparkling in the moonlight, until it reached the bridge, when its voice died out in a gurgle and its smiles disappeared in the deep gloom of the dense, overarching willows, and it seemed to lose itself in the dark portals of a ghostly cavern. Suddenly there floated up on the balmy air, the soft and mellow notes of a distant trombone, soaring and swelling, sinking and almost dying away, to mount again in plaintive appeal; love-lorn strains in accord with the volup-

nous beauty and bewitchment exhaled from earth and ocean, air and sky, in this dreamy spot.

"Why, it is 'Infelice,'" exclaimed Herman, as his trained ear caught the exquisite aria from "Ernani," "and played by a true artist. How strange to hear such music here."

"Yes, he is an artist, one of the many queer characters that have drifted to St. Agnes and you may say, gone to sleep. He is an Italian and came to California with the first Italian opera troupe; found his way here, married a native woman with some property, and now whiles life away teaching children to sing in miniature opera, and the native Californians, who are natural musicians, to play choice melodies in good harmony, and from his face, you would judge that, in the pastime, he imagined himself in grander scenes. You will find in St. Agnes, and you can make interesting studies of them, numbers of men of pronounced individuality, possessing some spark of genius, with all its eccentricity,— oddities which would delight Dickens' heart; this appears to be their rendezvous."

Herman's imagination as of wont, immediately seized in advance these strange personages and photographed them into a brilliant novel that he would write, which would rival Dickens or Thackeray, and in his fancy, as the two continued their promenade, he was already distinguished as the novelist of the age.

They were aroused from their revery by a merry peal of laughter from a spot not far distant behind a screen of trees, followed by a strange, wild prelude played upon the guitar. They turned the corner of the street and a scene, strange and fascinating to Herman, came in view. On the stone steps leading to the veranda of a once aristocratic adobe house, were grouped a bevy of handsome Californian girls, with large black eyes, now flashing, now melting in the moonlight, with clear olive complexions, and heavy black tresses and round, plump cheeks. Some with red mantles thrown coquettishly about their shoulders, some with white shawls made into designing hoods and mufflers; here and there among them a cavalier, with broad sombrero and brilliantly colored neckerchief, lazily puffing cigarittos, which his sweetheart rolled for him and lighted with her

own dainty lips. In the crotch of a venerable live-oak several feet above the veranda, sat Mr. Sigismund, his legs crossed and propped by a knot in the tree, a guitar resting gracefully in his lap, and his fingers deftly running over the strings. On his head sat jauntily a little red skull-cap, which had been ornamented with a feather from the tail of a game-cock; around his neck was a bright red scarf, loosely tied in a sailor's knot, his black beard terminating in a twist seemed to have been blown by the wind to the opposite direction from the plume in his hat. His little eyes glittered like sparks of phosphorus, and he seemed to be dancing and swaying and laughing all over with glee, as he sang in a silvery, flexible voice, which almost startled Herman and made him think of Mephistopheles, *"Es war einmal ein König."*

Oh! what a merry little devil he was! What mirthful mischief and innocent deviltry sparkled about him and Herman would not have been surprised to see him reach over and strike the old pump hard by and bring forth a shower of fire. The Colonel and Herman walked slowly on, the song ended, and turning around they saw the little man leap like a cat from the tree, throw the guitar to a young man, and the next moment he was twirling, with a gypsy-like maiden, over the green, to the measure of a quick Spanish waltz, in what seemed a goblin dance.

Colonel Morgan and Herman bade each other good-night at the hotel and separated as sympathetic friends until morning, when the Colonel was to introduce his young friend to some of his fellow members of the bar. As Herman passed through the "corral," he saw our worthy host conducting the limp and helpless form of General Peters to one of the cabins.

"Sh! sh! hic! I'm shgentleman sah, sh! sh! hic! from Virshginia, sah!"

"You are a d—n drone," said the stout landlord emphatically, and balancing him forward with his yellow tile pointed to the doorway which his companion had opened, he placed his hands upon the General's shoulders and his knee upon his seat of honor, and with well directed aim and powerful momentum, sent him with marvelous veloc-

SIGISMUND IN THE TREE

ity head foremost into the room, closed the door and returned, puffing like an engine, to his coffee.

Herman having first scented the blankets and sheets with flea powder, a necessary adjunct to the ceremony of retiring in California, was soon in bed.

## CHAPTER II

### A COW-COUNTY BENCH AND BAR

No stately pillared, dome-crowned temple, surmounted with statue of blindfolded, scales-bearing Justice enshrined the sacred tribunals of St. Agnes; but the goddess, with eyes wide open and ever on the alert, laid down the law, without weighing it, according to popular wishes and wants, independent of musty precedents in unadorned simplicity in an adobe house, once a spacious mansion. The interior arrangement of the building was admirable for the times. Quite a commodious courtroom did duty for two courts alternately, the district court, which had jurisdiction over St. Agnes and two neighboring counties, and the county court, and occasionally when some trial of great popular interest, a horse case, for example, was to take place, it condescended to open its portals to the Justice of the Peace. Leading from it were the jury room, the sheriff's office and the jail, all on the same floor and convenient for all necessary purposes. When all officials had gone to dinner and the bailiff was taking a siesta and a cigaritto in the courtroom, friends of the jurors could hold comfortable intercourse with them seated upon the window sills, necessarily broad because of the immensely thick adobe walls, and pass to them such refreshments, liquid and pecuniary, as were needed, through the bars, then deemed as requisite for a jury room as for a jail. After a criminal had received his sentence, he was, without trouble, marched from the courtroom through the sheriff's office, into the adjoining jail, from which, it being with the entire building of soft adobe, he could, when night came, quietly dig himself out, leave the country and save the county future expense. Conveniently adjoining the jail on the other side, were the chamber of the Board of Supervisors, the hall of records and the offices of county officials. A corridor ran the length of the building's front, where the judicial, legislative and ministerial functionaries of lux-

urious St. Agnes lounged and talked and smoked and dosed the dreamy day away.

When Herman appeared at the court house with Col. Morgan just previous to the opening of court, the hosts were assembled on the corridor. He was first presented to the district judge, a Mexican of high-bred Spanish ancestry, the son of the former commandante of the presidio, well beloved dictator of the ancient Pueblo, whose pronunciamientos were like the decrees of King Ahasuerus. The Judge was a tall, stout and distinguished looking man, with fierce crescent whiskers and triple chin. He was, at the time, rolling a cigaritto. It would be well to remark here, that the court was in the habit of taking a recess every quarter of an hour of five minutes, to enable the officers to smoke, like the intermissions in a Swiss sermon. He greeted Herman with great condescension and welcomed him in a husky, muffled voice, his language punctuated with a spasmodic cough. The next introduction was to the county judge, an Irishman by birth, who had never been outside the county since he entered it in 1850; in fact, he had then very quaint child-like ideas of what was practically going on beyond the confines of St. Agnes. When the telegraph line first penetrated this out-of-the-way spot, he was called upon to answer a letter by telegram. He commenced the dispatch, "Dear Sir: Your favor of such a date received and contents noted." He always befriended the young lawyers, and became afterwards particularly attached to Herman, to whom he cast many crumbs as dispenser of favors by reason of his judicial prerogative. On New Year's day he considered himself free of all restraint and outside judicial decorum, about the only holiday he permitted himself to indulge in, and with long-tailed black coat, and gloves that laid in lavender from New Year's day to New Year's day, he called upon all the ladies of the town, drinking the health of each, and ended the glorious festival over a bowl of punch concocted by himself in Herman's rooms, with several choice spirits. He journeyed from St. Agnes to another world not many years after Herman's advent, speeded by sorrow's goad.

The district attorney, a tall powerfully built Missourian, with broad-brimmed slouch hat, in the meanwhile sat with

his chair tilted back and his legs cocked up on the railing, commenting on Roman history, which he had recently been perusing:

"That old fellow Cocles, he was a first-class brick and would have made no slouch of a slugger and champion swimmer if he'd been living now and he had the grit to challenge a gang to double-team him. Old Publius Valerian would have made a bully Indian fighter; the way he ambuscaded those Etrurians beat the United States troops all to thunder. I don't believe there's any professional card sharp in the country could hold a candle in a bluff to that young chap Caius Mucilage and get in their work as he did. They might burn their mouth with an oyster stew, but they'd all take water when it came to burning their paw off in a chafing-dish. Those Roman plebians didn't know half as much as us Missourians, we'd a turned loose on those bloated landgrabbers a band of squatters from Price's army that would have soon settled their hash, although they did get even on the Uncle Harris by letting the debtors loose and sending them to war to steal plunder. How are you, Mr. Thomas? Give us your paw, glad to see you."

Such was the hearty salutation Herman received from Mr. Hill, the public prosecutor, who, however, eyed with some suspicion his fashionable attire. The county clerk, Señor Sanchez, was a native Californian, of smooth address, a fine penman, a splendid billiard player when heavy money stakes were up, a cunning and successful manipulator of conventions and votes. The Board of Supervisors was a sort of Justice Shallow's Court whose president was an empty-pated dictatorial Spaniard who, when he was not looking around for perquisites, exercised his authority in peremptorily ordering the hat off of every individual appearing on the threshold of the portal. The sheriff, Mr. Miller, was a big-hearted, big-framed Western man, who had, in early days, crossed the plains, brave and tender-hearted. He seeemed particularly agitated this day, for a scaffold was erected in the jail-yard and on the morrow it was to be his dreaded duty to launch into eternity a young Indian half-breed, twenty years old, guilty of murdering a Frenchman in hot blood. He afterwards told Herman that the idea of taking the life of another seemed always a murder and

it haunted him, for it always seemed to him that a hangman bore a mark like Cain's.

As Herman was speaking to him, a little, thin, waxen-faced, fish-eyed man, with parti-colored hair, who went by the name of "Pinto Bruto," came up and addressed the sheriff in a whining voice:

"Please Mr. Miller, let me ang im. I won't charge you anythink. There's no angman can do a better job than me. I anged three man in Sacramento, and the sheriff said as ow it was a pleasure to see ow I worked em off. See what a pretty knot I makes," and he dexterously twisted a piece of rope he had in his hand into a hang-man's noose through which the rope slipped as if oiled.

"Go way from here, you unnatural brute," roared the sheriff, "or I'll twist your neck."

"You oughtn't to get uffy at me, Mr. Miller. I knows you don't like the job, and ow your eart's soft on the boy and I don't see why you won't let me do it, when I can work im off without urting im before e knows whot's happening."

Here the sheriff ended the interview by wheeling the volunteer hangman around with his face to the curb, and giving him a kick which sent him into the middle of the street.

Herman saw the friar, with sad face beneath his cowl, pass from the poor wretch's cell, and saw the woe-begone countenance of the condemned looking pleadingly out through the bars, and he shuddered. There was no hope of escape for that poor devil, for he was well guarded by men that thirsted for his blood; not only Frenchmen, but the partisan American pioneers, and Mexican War soldiers. They hated with a deadly hatred the Indians and Mexicans, and this hatred was returned to these partisans; though many an American in sickness and distress was, with the warmth of hospitality, received into the houses of the natives, and tenderly cared for and nursed. Not many years before, a native and his poor young boy had been mercilessly lynched at night, for stealing a cow to eat, almost the custom of the country, and at the same time there existed in the mountain fastnesses a band of native desperadoes who robbed and brutally murdered American travelers. Application had been made for the commutation of sentence of the con-

demned to imprisonment for life; on the following day, at twelve o'clock the hour fixed for sentence, no advices had come. The tender-hearted district judge, by an excess of jurisdiction, postponed the execution some hours; in the meanwhile a courier arrived with the commutation of sentence. The scaffold was torn down, and the sheriff beamed all over with joy and became gloriously drunk, in celebration of the happy event.

The jailor was a fat, powerful giant, a boy who did not know that he had any muscular force, any more than the tame bear who kept the flies from his master's face. He often went to sleep like Joe, the fat boy, and when a prisoner dug himself out, he never could understand why he had not heard him.

But I am in advance of my chronicles. Herman made the acquaintance of the prominent members of the bar. There was a very polite and courteous gentleman, evidently a well-read lawyer and a fine conversationalist, Judge Freeman. He had been once county judge of St. Agnes. There was Mr. Boom, a fine linguist, who had been educated for the ministry, but the reverse of St. Paul, got blind and became a lawyer; a small gentleman, possessing a voice like a Sax-tuba. There was Mr. Wizzen, a thin little man with pointed features and a huge shock of white hair, whom Herman afterwards saw carrying an enormous Bible in procession, in spite of his not having great familiarity with the eighth commandment. There was Mr. Mocker, who posed as a literary and scientific man and possessed a library of general reference. He asked Herman, upon being presented to him, if he was familiar with the "Copernician" theory. Lastly, there was Mr. Roncador, a giant who had been for years a sergeant in the regular army; famous for drilling, making, by his stentorian voice, a raw recruit shiver in his boots, but to perpetuate his useful services, keeping religiously out of the range of bullets. He had made the best district attorney St. Agnes chronicled, though in his first indictment for murder, he was guilty of the technical incongruity of saying, "the deceased died contrary to law."

The court was engaged that morning in trying a peculiar case; one Italian had sued another for damages for run-

ning away with his wife. Mr. Roncador was counsel for plaintiff and Mr. Boom for the defense.

Upon the argument of the case, Herman was struck with the force of Mr. Roncador's metaphorical language. Mr. Boom was constantly interrupting the speaker, when turning from the jury to the court, Mr. Roncador, in a voice of thunder exclaimed, "I wish your Honor would keep this dog from yelping while I'm barking."

I might here state the result of this case. The plaintiff obtained a judgment for damages, defendant refused to pay and defied them to make it upon execution. Then plaintiff published defendant throughout the community as a dishonorable and dishonest man, having failed to pay his debts. Whereupon defendant resorted to the columns of the newspaper and published a card to this effect:

"My enemy —— has grossly slandered me in the community by saying I do not pay my just debts, because I do not pay a judgment in his favor. I never did a dishonorable act in my life. This judgment was not for a debt, but for some offense under the American law, I don't remember the name, I never heard of it before."

Court adjourned, Col. Morgan suggested that Herman have a sign painted and then look for an office.

"Sign be d—d," said Mr. Hill, "a piece of legal cap with your name on, stuck on the door of your office which need only be big enough to hold your books, desk and a couple of chairs, is all you want. Our law business is done in the barrooms and on the streets, the only sensible way. Come with me to-night over to the American Hotel barroom and I'll introduce you to some of our distinguished local politicians."

Herman, however, engaged to paint him a small sign, a gentleman who, so he informed him, had learned the art in its higher branches at West Point, where he had been for years drill master; that he had subsequently gone through the Mexican war and had eventually been forced to paint houses and signs for a living. He charged Herman fifteen dollars and to his disgust spelt "counsellor" with one l. That evening the American Hotel was in full blast. Herman was ushered into a long saloon crowded with all classes of people, lawyers, merchants, rancheros, American, Eng-

lish and native, stage-drivers, politicians, vaqueros, teamsters, squatters, county officials and politicians. In the center of the room was an old-fashioned pocket-billiard table, upon which was being played a lively game of pin-pool at one dollar "anti," the worthy county clerk seeming to be the champion, and in one corner a small carrom table. At the upper end was the bar, a long pine counter, fronting some board shelving on which was an array of bottles of divers shape and form, and containing, as a general rule, good wines and liquors, although there was always a great reserve of rasping fire-water for the appreciative gullets of sheep-herders and kindred gentry. In front the bar was a mixed crowd of diverse positions in life. Off the saloon were card rooms, where hundreds, yes thousands of dollars, changed hands of a night, that is to say, the change was always in one direction — from the flush ranchero to the needy professional gambler. Of course these rooms could not compare with the prosperity of the old montebanks they succeeded, where fair women dealt the cards, and it was a joy and delight to see the gold flash through their tapering fingers, and hear the crisp, castanet-like counting of the coin; but they were pretty fair.

"Here, boys, fire and fall back and give somebody else a chance," cried out Mr. Hill. "Come Shorty, and you Scotty and you Long-Hungry and all our gang, put your bellies to the counter, I want to introduce you to a new law-slinger from the states. This is Mr. Thomas, a darned sight better fellow than you'd take him to be from his rig. Here Shorty, give him your fist."

Shorty, about four feet high, with a head and face like the light-red billiard ball, and a voice resembling a pair of brass cymbals, blazed forth:

"Any friend of our distinguished district attorney can take a chaw or a drink with his constitency. You must know stranger that Scotty and me and Long-Hungry and the rest of the gang set up the convention and elected him; ain't that so?"

"I should smile," remarked Scotty.

"You kin bet your boots," said Long-Hungry.

Shorty was a teamster, Scotty a burly cattle drover, who

GAME OF MONTE IN THE OLDEN TIMES

wore his belt turned so as to conceal his revolver under his coat, and Long-Hungry, a long, lank wagon-painter.

"Nominate your pizon," brazened Shorty. The glasses had been set out, and one black bottle from which the crowd had been alternately helping themselves.

"What is that?" inquired Herman.

"That's pure old Bourbon," replied Mr. Hill.

"I'll take the same," said Herman, with an inward spasm, for whiskey he abominated.

Shorty looked at him for a second or two, his face glowing like the dark-red with admiration.

"Here give us your fist, you'll do to travel with this constitency. You're a little fresh, but you've been weaned right."

The party having to fall back from the counter to give room to a fresh squad, Mr. Hill strolled about with Herman and introduced him to whom he considered profitable acquaintances, among them Capt. Cecil Seymour, a civil engineer appointed to make topographical surveys of certain ranchos and to lay out systems of irrigation. He was a guest of the St. Louis and became one of Herman's fast friends. Capt. Seymour presented his friend Mr. Sigismund, who, with a graceful bow and merry, mischievous smile, was "very happy to join in wishing the *bien venu* to Mr. Thomas." Just then a gentleman approached, with his silk hat and cane in one hand, bowing very low at every step, and when he reached the group he stretched out his disengaged hand, and said:

"My dear Capt. Seymour, how delighted I am to see you, how well you are looking, and when did you return from camp? And Mr. Sigismund, you seem never to lose your happy vivacity. I am so charmed to encounter you; and you Mr. Hill, what a fine plea you made to the jury yesterday; we were forced to decide against you, but we all were carried away by your logic and eloquence, but perhaps I intrude."

"You've hit it there," muttered Mr. Hill, "and I've a great mind to employ the hoof remedy against intruders."

"This is Mr. Thomas, Major Falcon," said Capt. Seymour, "recently arrived from the East."

"Ah, indeed? I am charmed to make your acquaintance, Mr. Thomas. I suppose from Boston?"

"No, sir," replied Herman.

"Ah, yes, well I suppose you will remain here a short time?"

"I hope to make it my home."

"Ah, how delightful, we shall learn to know each other very well. I am living a short distance from town, and have, I think, a sweetly pretty little farm and orchard and dairy, and I deal a little in real estate, buying and selling, and I am willing, of course without remuneration, to give you any information you may desire and the use of my humble experience. I suppose you mean to purchase lands?"

"Oh, no, I came to practice my profession as a lawyer."

A visible change came over the countenance of the Major on hearing this, but it brightened again, and he said:

"It pleases me greatly to hear this, for as Mr. Hill knows, the more lawyers of refinement we have here, the better for us who appreciate the higher order of gentility. Do any of your friends wish to purchase lands, I am willing to extend the same courtesy as I would to you?"

Major Falcon was a stoutly built gentleman, about four and a half feet in height, with low forehead, keen eyes, perpetually wandering from side to side, a heavy shock of red hair on his head, which had never been thinned by exhaustive intellectual power or profundity of thought. His cheeks were adorned with tangled bunches and his upper lip with a heavy moustache of the same colored hair; the end of the moustache he kept in his mouth when not speaking, and when a bolt of anger or suspicion darted through him, as it often did, the hair and the whiskers raised up, and the moustache flew out with a spit, and one started back, expecting to see the claws, to avoid the scratch. He was attired in ultra fashionable clothes of a cut two seasons old, and was shod with an exaggerated imitation of English shoes.

Just then a tall gentleman, in a black mantle, with a cane under one arm, the hand holding the cane encased in a black glove from which dangled its mate, the other hand twirling into a twist his flowing beard, his long hair which

curled at the ends like cut dandelions, seeming to quiver and shake, glided almost imperceptibly into the midst of the group.

"Helloa, boys, anything new? What's the little game?"

"Nothing of a knock-down kind, doctor, only I am introducing my friend here, a lawyer from the East who is going to hang out his shingle in St. Agnes. Mr. Thomas, Dr. Vanderpool."

"How are you, boy? Come and see me at my office. Have some good paintings and fine whiskey and lemons from my orchard. Will drive you 'round and show you the country. Do you play crib? Hey, can't stop just now, all right, so long."

As the party separated, Herman found himself with Major Falcon.

"Who is that stout, red, round-faced, jolly looking gentleman, just entering the doorway, who might be taken for Mr. Wardell?"

"An infernal scoundrel, sir; have nothing to do with him; he is old Macdonald, superintendent of San Luis Island, a sheep fancier, a miserable wretch." By this time Mr. Macdonald had reached the couple.

"My dear Mr. Macdonald," said the Major, seizing him by the hand and putting his arm on his shoulder, "how charmed I am to see you. This is my warm friend, Mr. Thomas; you should know him, for he is to remain with us in the practice of the law."

"Well, my lad, I'm glad to know ye, but little law do I want frae ye, eno o that had I in Scotland; but if you hae a taste for gude mutton and would like a tilt wi a wild-boar, Bobbie Macdonald is the mon and San Luis Island the spot a'ways at your bidding."

Herman thanked him, and then excused himself from the Major, who kept bowing and bowing until he had disappeared into the street, and after a stroll in the fresh air, retired for the night.

## CHAPTER III

### AN ALIBI AND A DANCE

THE next morning, after breakfast, as Herman stood in front of the hotel looking at the mountains which so forcibly brought back to him the shore of Lake Leman, where she loses herself in the "blue rushing Rhone," meditating upon the future and wondering what he should first undertake that day, he was approached by the county clerk and a swarthy native.

"Mr. Thomas, this is Mr. Lugo; he wishes you to defend his son who is to be tried this morning for stealing a box of candy from Isaac Cook's shop. Is that not so, Lugo?"

"Si," grunted the native, and handed Herman a twenty dollar gold piece.

"Mr. Sanchez, will you please ask Mr. Lugo what is the nature of his son's defense?"

"He says never mind; that when the trial comes off at ten o'clock, he will hand you a list of witnesses, and all you have to do is to ask them where his son was at the time the prosecution proves the candy was stolen."

At the appointed hour Herman was present in court. Judge, jurors, district attorney, prisoner and his sire and a host of natives who always thronged the court when the proceedings in any way affected one of their race were there. Herman sat at one end of a bench and the prisoner at the other, although he did not know him to be such until proceedings had been begun. The jury-box having been filled, the district attorney began the examination of the jurors on their *voir dire:*

"Mr. Smith, do you know the prisoner at the bar?"

Mr. Smith looked directly at Herman and said, "I believe I've seen the gentleman before."

"No, I mean the fellow at the other end of the bench."

This introduction at first rather disconcerted Herman,

and he did not completely rally until his own witnesses testified. The jury impaneled, the prosecution briefly made what Herman believed to be an invincible case. It was proved that the boy was in the shop at seven o'clock P. M. of such a date, standing at the spot from which the box was taken; immediately afterwards he disappeared, and the candy was found missing. A boy companion testified that he had at half-past seven helped him to eat a box of candy. The people having rested, Herman was handed a list of fifteen witnesses. He called them seriatim and each swore that he had played *con quien*, a game resembling keno, on the day of the alleged theft, at the same table with the defendant from four o'clock till ten P. M. Not one of them had once left the table and each had looked at the big clock which hung in the room. The jury brought in a verdict of not guilty, and after it was recorded the foreman said that the jury believed the defendant stole the box of candy, but the evidence for the defense was too strong and swamped the prosecution.

Later experience, after hard struggles with the native Californian witness, proved to Herman that he was, like the sailor, a species unto himself. When asked by a particular party to a suit or legal proceeding to testify on his behalf, and he accepts, he considers himself retained for that side as much as the attorney, and that it is his duty to make the testimony as strong as possible. Upon direct examination he is positive and voluble, on cross-examination silent and obtuse, and when forced to reply to some question concerning what has transpired, he invariably shrugs his shoulders and says: "*No mi recuerdo;* I do not remember." He never can tell the year in which any event happened, but always dates from the Dry Year, so many years before or so many years after. He does not know whether a tract of land lies north, south, east or west of a point, but must identify it with physical monuments upon the ground.

Herman immediately secured a modest office, and at once devoted himself to the study of the history, legislation and law of the state of his adoption, at the same time mixing with the people and acquiring all possible practical information by inquiry and observation. The most of the great

ranchos had passed from the hands of the descendants of those who had received them as their share of the loot of the missions. In the first place, before absolute title could be obtained to them under the U. S. Government, it had been necessary that their claims be submitted to and investigated by a U. S. commission appointed to settle the same, from the decision of which laid an appeal to the U. S. District Court and from its decision to the U. S. Supreme Court. Next a survey of the exterior boundaries of the grant by the U. S. Surveyor General must be had. This was subject to protest and litigation and two or three surveys sometimes were made before a final one was adopted, and the boundaries became matter of litigation, and the final survey subject of appeal from one Government department to the other, and ultimately came the delay in the ministerial duty of issuing the patent, the performance of which duty could, of course, by certain mechanical means, be expedited. All this required money; money to retain lawyers, money to pay manipulators, money to fee officials, money for travelling expenses and sundries. The most of the rancheros had no money, but they could and did give a large proportion of their lands, and ultimately sacrificed all for a song. Others sold their lands for a fair price to honest buyers, and those of others were eaten up by debts contracted at a ruinous rate of usury, from two to five per cent. per month. Some, very few, retained their land, and fewer kept the proceeds of what they had sold. Among the thrifty was a Mexican miser, usurer and former monte-dealer. A certain petroleum company desired to purchase one of his ranchos, upon which were large oil deposits, and offered him $100,000.00, as much as, outside these undeveloped resources, it was legitimately worth. The Mexican could not make up his mind whether or not to accept the offer. The agent of the company saw that he would never come to a decision by ordinary dealing, no matter what price was tendered. He therefore procured $100,000.00 in double-eagles and taking them to the Mexican's house, emptied them upon the table and as he talked to him about the advantages of his making the sale, he carelessly picked up handfuls after handfuls of the yellow pieces and let them jingle down upon the golden heap. It was too much for the old

man. With glaring eyes, he cried, "Give them to me, give them to me," and immediately executed the deed. When he learned subsequently that the rancho had been bonded for a million dollars, he became a raving maniac, and for a month wrung his hands and cursed himself and the purchasers, and could never be consoled for his loss.

At the same time that honest and legitimate claims were passing through the machinery of the government, many bogus, forged and fraudulent claims were presented to the commission and sought to be manipulated through. This, of course, cast discredit upon all Mexican grants and was the means afterwards of causing long, tedious and expensive litigation to the honest purchasers of bona fide titles. A certain member of the St. Agnes bar, whose delight it was to be thought a Mephistopheles, was once asked in a feeling way by a gentleman, the owner of a genuine grant:

"Why do you assert such claims before the commission? You cannot expect to succeed?"

"One may stick, one may stick, and it will pay me for all," was the response.

Many of the natives who had parted with, or lost their property, possessed, if not a bitter, an invidious feeling against the acquirers of it, and used every effort to impair the title and reap more money, producing hitherto unknown owners and heirs, bringing minors from their well-filled nurseries, married women who had not been examined apart from their husbands, namesakes of vendors who were the simon-pure owners, live men supposed to have been dead, alleging fraud or mistake in the execution of the instrument of transfer, and invoking every possible flaw existing in reality or created by the ingenuity of an unscrupulous lawyer.

On the other hand, the uncertainty of boundaries, as well as the suspicion of fraud in the grant, brought upon many ranchos swarms of that pest of the Western Country, the squatter. Not the settler, the squatter. The squatter is the American gypsy; gypsy so far as being a nomad and a distinct race; after this, similarity stops; in other respects he is a pure Ishmaelite. While the palm of the gipsy itches and hen-roosts are not safe in his neighborhood, his heart has not murder in it, and his hand is rarely stained with

blood. The squatter seldom steals, but his rifle brings down human game with more gratification to him than if it were a deer or a bear. The lynching of a man, to him, is the most enjoyable entertainment he can conceive of. One instance came subsequently within Herman's personal knowledge. A dispute occurred between two squatters concerning the boundary line between their respective claims, and the feeling, one against the other, was very bitter. A few cattle of the one trespassed on the claim of the other and he shot one of them. But a half-hour after the act, a band of armed men entered his house, as he was eating supper with his wife and boy, and took him a hundred yards from his own shanty and hanged him in the presence of his little boy, who had followed them. The boy did not cry; tears were not his inheritance, and he was too well trained; but he was dogged and sullen and kept his eyes fixed upon his father's enemy, and doubtless, if the sequel were told, he one day gratified his wish for vengeance. The wife sat pale and speechless, she knew all entreaty would be hopeless, nor did she cry; simply when the boy returned she sent him to some friendly neighbors to come and cut down the body and see that it was decently buried. The history of Southern California records the brutal assassination of Thomas W. More by squatters, upon a rancho which he had bought in good faith at an administrator's sale and paid more than its intrinsic value. A flaw in the title of it had been picked by a land-ghoul, who sent to swarm upon it the worst ruffians of the class, and they, disguised and masked at night, set fire to his barn, filled with livestock, and when he rushed from the house to save the lives of his poor brutes, shot him down like a dog, and not content with this, mutilated him after the breath had left his body.

The squatter travels from place to place over the portion of the continent where government land exists, going and coming; and when he finds a strip unoccupied he squats, and waits till a true settler happens along, then sells his location and takes again to the road. If you meet him on the thoroughfare in his canvas-covered wagon, with his straggling family and his straggling stock, the only good-natured look you will receive will be from a horse or a cow. Should you greet him with a smile and a kindly word, you will be

rewarded with an ugly scowl from the man, a sneer from the woman and a sullen stare from the joyless, sour-faced, thin-featured children. Should you ask the loan of his pail to water your horse at the stream, he will tell you to get one of your own, he don't lend his. He is, in other words, to the honest settler what the bloodthirsty anarchist is to the true laboring man.

It did not take Herman very long to discover the status of the real property in the county, its titles and the attacks made upon them, nor, quick observer that he was, to read the characters of the people, cosmopolitan as they were. The study of the law affecting Mexican grants, too, had become a fascination, and the days passed without irksomeness. From the evenings he and his friend Capt. Seymour managed to glean no little recreation and amusement. A few days after his arrival, he and his friend were invited to a ball at the mansion of one of the old and not yet ruined native families. A charming moonlight night it was; the sun had left a warm breath to temper the ocean breeze, and the balmy air was ladened with scent of flowers. The pepper tree tresses waved and the climbing roses nodded; and white dresses with gayly colored scarfs, and rich hued gowns with snowlike lace, fluttered and rustled, and plump, round cheeks turned to roses; bright eyes sparkled through long lashes, white pearls glistened through coral lips beneath ripples of smiles; winged feet flitted in fairy dance, while the spirit of melody, the troubadour's music, inspired and guided it all. Herman and Seymour both felt the magic of the scene and were soon the merriest, if not the maddest of the merry-makers. Herman was struck with the natural ease and grace of the native women, particularly refined in the young maidens, inherited not acquired, for nearly all had never been outside St. Agnes, and had received no education whatever. They were all beautiful dancers, and would acquire in an instant any new dance a tourist or a commercial traveller should chance to import. He and his companion revelled in the dance, and when supper was announced, they escorted to the table two sisters, gentle, naïve, pretty little creatures, as graceful as fairies. With the winsome sprites at their sides, little attention did they pay to the tamales, made of the finest chicken, maise, raisins and olives, or the

delicious salad of olives, dressed with oil, vinegar and onions, or the Spanish sandwiches and superb relishes, jellies and confections, and good native wine; and when at last the irksome eating was done, they strolled out in the moonlight. Herman, for the moment, lost the reminiscences of his former life, forgot his loneliness and exorcised his melancholy and whispered soft words into the listening ears of his fair companion. He asked her if she had ever been in love, and with demure look she glanced up through her long lashes, and said, "No, señor." Just then Seymour passed, with his dulcinea, and Herman caught the low spoken fragment, "I'll build thee a palace where the perfumed lights from alabaster lamps," and Herman told her that he felt very lonely in his new home; that he had no one to think of him, to care for him, to greet him with a loving glance and gently press his hand, and did she think that anyone could fall in love with an awkward youth like him. Again she looked up with a bewitching smile and said, "Si señor"; and Seymour passed again, "Dost thou like the picture?" and his companion sweetly smiled, and answered, "Si señor." Just then, the summons to a dance was given, and our two friends returned their prizes to the ball-room, and walked out together in the moonlight, and smoked their cigarittos silently. When they returned, they saw Seymour's fairy promenading with the fat gambler, into whose eyes she looked as sweetly as into Melnot's, and Herman's charmer was on the arm of Shorty, upon whose rubicund head, which she could easily reach, she had just broken a cascarogne.

"Let's go home," said Seymour.

"All right," said Herman.

## CHAPTER IV

### THE KELLER

THE writer having brought his friend Herman to the scene of his work life and introduced him, a stranger, to the reader, it becomes him to give some idea of the youth's personality and tell the circumstances that led to his casting his lot in the little hamlet of St. Agnes.

A glorious night it was. A glorious night to one admitted to the fellowship of nature's familiar spirits, to one possessing the talisman stolen from the gods, by the touch of which the chained soul can be given brief holiday from its base prison and let to war and dance and fight and play and grow drunk and mad with the goblin creatures of the elements. Man's fancy can be as wild a demon as any clothed in the wind's shriek or the ocean's roar or that springs in the lurid flash from the thunder's peal, and as stealthy a spectre as makes silence visible in the falling snow-flakes, and can, when the battle is over, be as dreary a mourner as the midnight rain.

Yes, it was a gala night for my frolicsome fancy. The wild wind, wet with the foam of the lake it had lashed into fury, tore up the street with a roar. As it swept along, the window-shutters banged, the monotonous creaking of signs turned to shrieks, the telegraph poles moaned like fog-horns and a charivari of howling, hissing, groaning, cracking, whistling from mysterious instruments accompanied it. Seizing in its course a packing box, it rolled it along faster and faster up the street and dashed it with a yell against the legs of a policeman, who was, with difficulty, towing a belated female pedestrian across the street. It blew out the gas lamp in front of the *Daily Republican*, and, with Democratic rage, tore down the bulletin board with its budget of news of the great impeachment trial and tripped up the daring devil who sought to rescue it and dashed into his mouth a handful of snow, as it sped by. In all the wind's

revels, its mute companions, the flying snow-flakes, kept with it; not the floating, feathery, straight-descending film of down, which carpets the earth, but hard, icy pellets, fired like canister shot from old Boreas' blunderbuss. Amid its revels, from the hall of the merry Lieder Kranz, the Rhine-wine chorus would at intervals break out, to be drowned by the wind's mad choir, only to burst forth again in wild harmony.

On this glorious night, I knocked at the door of a two-story wooden building which had the appearance of a huge whitened packing box. The door was unlocked and opened by a tall, thin man with long hair and a military moustache and sharp-pointed imperial, robed in a government blouse, and holding a tallow candle stuck in a block of wood. He was visible but for an instant, when the wind rushed upon him, snuffed out the candle and flattened him, with the door, against the side of the house. "*Donnerwetter,*" he growled in a sepulchral voice, as he felt around for a match, while I shut out the rude intruder. Having relighted his spluttering dip, he muttered, "*Eine schrekliche Nacht,*" and pointing to a narrow flight of steps, motioned me to ascend. The room we were in was uncarpeted, unpainted and unceiled, and had as its only furniture, a round-bellied coal-stove, from the top of which ran a pipe up between the rafters, through the floor above, a couple of round tables, some wooden-seated, straight-backed chairs and a beer-barrel, inclined upon a frame, bending its gnarled old spigot over a huge earthen pitcher. The stairs, a familiar climb to your chronicler, led to a room as bare of comfort and ornament as the one below; a narrow wooden cot, a roughly made stand beside it, on which were a well-worn hair-brush, a shaving mug and razor, and a venerable leather-bound volume of Fichte. The pipe from the stove below ran straight up about seven feet from the floor and then took a turn at right angles and, supported by numerous wires of divers thickness, nailed to the rafters, without regard to symmetry or line, elbowed its way over the door through a clap-board partition into the adjoining front room. We followed the pipe and entered the private club-room of Captain Hoehenberg, once Baron Von Hoehenberg, afterwards a forty-eighter, then a refugee, anon a captain

in the Union army under Siegel, and now peacefully spending the decline of life wandering in the labyrinth of German philosophy, while the sale of a choice variety of lager beer to a select but limited number of patrons mastered the problem of existence which bothers so many less sublime mortals. The Philosopher's Keller, as this retreat was christened by the proprietor, not because it was in fact a cellar, rather a garret, but, by a teutonic process of reasoning, was, in the divine, ethereal essence of theory — being nearer heaven — more of a cellar than if created *in corpore* underground; since it was animated with the soul and endowed with the attributes, and possessed the inner life of a tradition-created, from time immemorial haunt and temple of inspiration for choice, convivial and gifted spirits. The Keller presented a cosier appearance than the rest of the Captain's abode. It was a narrow room running the length of the house-front, accommodating with reasonable comfort a long deal table and a dozen chairs with their occupants, when, upon rare occasions, such a number of choice spirits assembled. The wooden walls had a fresh coat of whitewash; the stove-pipe also, hanging over the table like the sword of Damocles, without the blackest of black-a-moors, when it entered the room, had assumed the complexion of a harlequin. A kerosene lamp of Dutch build, suspended by a bracket against the wall, aided by a huge tin reflector, illumined with a rather mellow light the Philosopher's Keller.

Three persons were the occupants of the room when we appeared. At the head of the table, his prescriptive place, sat Dr. Gericht, editor of the *Demokrat*,— so called because it was a German Republican journal,— a stoutly built man of medium height, smooth-faced, with a German cast of countenance, that is to say, one cast in one of the moulds of German pottery, without any particular regard to lines of beauty. He invariably sat obliquely to the table, with one elbow planted upon it, and delivered his political, philosophical and social dicta over his right shoulder and above one pane of his eye-glass which occupied the center of his nose. It was noticed than when the Doctor went to sleep, which he occasionally did on a dull evening, if he exceeded his regular ten glasses of lager, he seemed to collapse in his

chair, and his chest grew smaller than his stomach; a phenomenon thus explained by Captain Hoehenberg: "The conscious action of the brain, by which it has thorough knowledge and appreciation of its own conceptions, in certain men develops an immense quantity of oxygen, and acts as a steam-pump, keeping, while in operation, the chest in an inflated state. When sleep comes, this action which is positive and superinduced by the will, ceases and the reservoir remains empty until the conscious action of the brain again begins. This is peculiarily noticeable in German philosophers and statesmen; it is said that Dr. Francis Lieber and Bismark measure three times as much around the chest when they are awake as when asleep." On the right of the Herr Oberst, as we addressed him, in chair of state, sat a man of about thirty, with a broad forehead and frank countenance; a lawyer and keen politician, and just elected to the lower house of the Pennsylvania legislature, and elected fairly by his popularity. He was a constant student of human nature and a good judge of men. He was precise and dogmatic in speech, which accentuated the quaint drollery of which he was full. He happened to be of the party that memorable evening which is why I mention him here; at another time under other circumstances, I might make those who care to spend a few idle moments with me thoroughly acquainted with this, my old friend, Henry Burton. Opposite Henry sat a young man of twenty-five, in looks a boy of twenty, with delicate features and a complexion the envy of women. In repose his face wore an expression of sadness, the true reflection of his nature. There was a shyness about him and nervousness not in keeping with the rôle he had assumed for life's stage, that of a lawyer, and that shadow of melancholy and that shrinking from contact with the rude world, so plainly shown in his looks, words and action, often awakened in the writer's heart a kindred sadness and the misgivings that the young bachelor of laws, who had with honors won his degree, was nevertheless poorly armed and equipped to enter the lists. The least unkind or impatient word would send a crimson flood to his face, and when, believing himself with those in sympathy with him, he would unburden himself of the load he carried of poetry, pathos and sadness-

scented humor, and would display his aspirations, noble and unselfish all of them, and disclose his marvellous plans of action, sure to be successful when plumed with the wings of his swift soaring imagination, let a sneering or incredulous or a jesting word escape from a listener, and the fatal flush flashed upon his cheek, and his heart was closed and his lips sealed, and hard it was to woo back the childlike confidence. He talked with perfect freedom in the Philosopher's Keller about himself and his plans; for there he was understood and loved by each of its queer frequenters in his queer way. The Captain regarded him as a sort of young Goethe, and expected to see him any day produce a second Sorrows of Werther, and used to sit and with silent satisfaction watch him as he dreamed and wrote. The Doctor patronized him good-humoredly and took issue and discussed with him, in the most material way, every chance improbable poetic proposition he might drop. Henry was practically his useful, substantial friend. One of the proprietors of the *Daily Republican*, he had secured to him the position of political editor, a more honorable than lucrative one, and of short duration; what proved to be his last editorial having been handed into the composing room that very night, while at the same moment the directors of the concern in an adjoining room were preparing for its obsequies.

I said that Herman Thomas, for that is the name of my hero, was understood and loved by each of the members of the Philosopher's Keller; there were several other odd fellows who belonged to it, not like ourselves regular attendants, whose names we need not give, as they were not present upon this glorious winter night.

"*Willkommen, mein lieber* Dreams," exclaimed the Doctor, as the Captain ushered me into the Keller with a solemn wave of one hand, while with the other he held aloft his flaming torch, "you come like Samivel, out of die storm howls. Did die Captain conjure you up mit his spells?"

"Good evening, brothers all," I said as I took my accustomed place, filled my own Bohemian beer glass from the common jug and spread some grated cheese over a piece of black bread. "No, my dear Doctor, I have had my romp with my old friend the Storm King, and have come to rest in less unruly company. I am no spirit of evil, but bring to

you the olive branch, for the elements have about spent their fury, and will be asleep before our heads touch the pillow, or I am no interpreter of their temper."

"I should judge so, good Dreams, (Old Dreams I am irreverently called by my friends of the Keller) the way the windows rattle and the building shivers and the cracks whistle," said Henry, "but we bow to Sir Oracle. If you are the spirit of peace, you must exert your power upon our friend Herman there, for his mind is as disturbed as the elements, and he has given us all the blues, with his melancholy murmurings and his distressed countenance, and will grant us no satisfaction. You, Dreams, are the only one who has the mystic password to his bosom."

A smile tinged with sadness flitted across Herman's face, as he replied to the sally, "I am afraid I have dampened the spirits of our friends this evening, at least have done nothing to enliven them. I am in one of my dismal moods, and had you not arrived, I would have myself taken a turn outside with the wind."

"Henry has not improved his feelings," remarked the Doctor, "by telling him that his noble career as a journalist has terminated almost at its commencement. I suppose he had articles already prepared on die financial questions of die country a month ahead, like die obituary notices. Could you write German as well as English, I might get you a position on die *Demokrat*. Its readers would understand Dr. Lieber und Mills und Robert Walker better than die subscribers of die Republican, who care more to read die stories of how do you call him? Petroleum Nasby."

"I think, Doctor, you make a mistake," said Henry. "Everybody appreciated and praised the editorial department. The great problem was the financial one; how to make it pay."

"Ach! und you think it strange you bust up? You had no household scandal column und no man like old James Gordon Bennett connected mit die institution to levy toll."

Herman, leaning listlessly back in his chair, said, "I regret of course the suspension of the *Daily Republican*, but I regret it rather because of the disappointment and pecuniary loss to my friends its proprietors than on account of any personal deprivation to me. It was certainly an enter-

taining diversion, a congenial pastime. I do not know but it was a special act of Providence to drive me from the play-ground to serious work.

"But the spirit of melancholy hangs over me to-night, despite my endeavors to throw it off, and I am certain that another crisis in my life is about to take place. You laugh at this, but I am sure a great change in my affairs is on the eve of occurring, and my presence will soon cease to cast a gloom upon the pleasures of The Keller.

"You've caught cold, or your liver is not working," said the Doctor. "A good healthy man never sees any omens. Poe's Raven was die creation of his stomach; he suffered indigestion und nightmares und fits. You talk about die spirit of melancholy; melancholy comes first from die stomach or liver; die brain then adopts it as a bad habit like drinking or smoking to excess. Take down old Burton und go through a course of treatment under him, und I think you will see no more prophets of evil, und as does Democritus Jr. prescribe mirth as a principal engine to battle die walls of melancholy, a chief antidote und sufficient cure of itself, so Captain replenish die flagons, und '*Burschen alle*' join me in die chorus, 'away mit melancholy,' und we will see if die *Zauberfloete* cannot charm away die prophet of evil."

The Doctor then, having effectually washed away all cobwebs from his throat with a bumper, in a fine baritone, led off in this gay chorus, the Captain immediately following with his tenor, and one by one the rest of us joining in the exhilarating strain, Herman last but ultimately the most earnest of all. Indeed, once the spell broken, he seemed the very spirit of jollity and followed up the chorus voluntarily with a display of his powers of mimicry in the classic ballad of Johnny Schmoker. A merry *Kneipe* was inaugurated and the evening flew by on the wings of mirth. Tales were told, wit flashed, new songs were sung, glasses were emptied and filled; dull care and gloomy thought flew out through the chinks and were swept away by the rollicking wind, and the revels without and the frolic within kept on apace, until the first stroke of the midnight bell, when as if by magic the merry-making ceased with the final strain of *Gute Nacht* and the wind died away with a sough. As we

separated and after the accustomed invocation, "Happy thoughts be thine till sleep arrive, then happy dreams till dawn," the Doctor, his chest expanding majestically and his voice assuming a solemnity, it was difficult to tell whether mock or serious, dismissed us with this homily, "Let this evening be a lesson to us, especially to die melancholy Herman. Whether we be happy in this world or miserable rests mit ourselves. Die Lord created a cheerful heart, und he intended man to preserve it so. As long as He retains die guardianship, it is so, und only when man himself becomes die keeper is die spirit of happiness banished. Die child life, except when cruel man thwarts die designs of Providence, is a joyous one. What are calamities? What are misfortune und troubles? They are never greater than we can bear, und looked at in die past, are fine pictures we would not dispose of from our gallery of experience. Die realization of sickness is lost in succeeding health, die present is momentary, und memory is not capable of physical pain; when misfortune overtakes us, our thoughts should only be occupied mit die necessary steps to overcome it, und not mit enervating regrets. When we sin, as every member of die Keller is capable of doing, do penance for it sincerely, as we Papists do, ask forgiveness for it, mit die determination in our own minds that we will not do it again, get absolution, und then let remorse go to die devil. Herman, because his toy journalism is snatched from him, gets miserable und paints die next stage of his life black in advance; I start up a song, und die blue devils all fly away, und our misanthrope becomes a merry faun, und I trust that in his dreams tonight bright visions will take die place of foul phantoms. But, Herman, my dear boy, you must always have your choristers in your own heart, to awaken cheerful music; you cannot depend upon an old Dutchman being around whenever you are in die sulks. If you take a warning from a wise man like myself, who has not only distinguished himself in die great universities of Germany but who is thoroughly trained in what Byron calls 'Nature's good old college,' die occupation of that prophet of next acts in die drama will be most effectually gone. Stop wandering around inside yourself, die outside world was made for you to live und move in; die Lord never condemned die soul

to solitary confinement, nor did He make die individual die sole object of his own compassion. Beware of cultivating what you call melancholy, of nurturing these unhallowed offspring of an illicit self-love, for they will grow stronger than die neglected graces mit which God garrisoned die heart, und will storm und ultimately take die citadel of die soul. Old Burton had a prophet in die stars, und he killed himself to make their prophesy come true. Look out you don't do die same thing, und remember die burden of his song, 'Naught so sweet as melancholy, naught so damned as melancholy.' *Prosit!*"

With this valedictory, we dispersed for the night.

## CHAPTER V.

### HERMAN PREVENTS A TRAGEDY

According to my prediction, the wind had subsided and a profound stillness, deeper by contrast with the late din, only occasionally broken by the distinct shriek of a locomotive engine, rested upon the city. The snow fell thickly through the screened moonlight. Herman's lodging was but a short distance from the Keller, just across the park. He walked on alone mechanically towards it, his mind wandering away from the present, from the event of the evening, from the thought of his own doleful divination and the Doctor's sage advice and treatment of song and jest, away to just such a night in another land, a land of legend and romance, where two happy years of his life were spent, and from which he came back in the midst of Civil strife to loss, through the vandalism of war, of his ancestral home, with its stores of family relics, works of art and beloved library. Suddenly he started, he was sure he heard something like a sigh. He looked around him. He was in the middle of the park. All he could see were the leafless trees about him and each, he fancied, gave him a look of grim meaning and pointed its scrawny arms towards the lake. Herman, really, was no believer in signs and omens; he never could see any ghosts, and was considered a discordant spirit in all seances; but he had a sort of superstition possessed by all poetic natures, and he could not resist directing his course according to what he believed to be the mysterious indication of the trees. Instead of continuing towards his dwelling, he therefore turned at right angles, and walked on towards the lake, clutching tightly an oakstick which he carried. He emerged from the park and followed the street, now silent as the grave,— though a few hours before it had been the clattering thoroughfare of the boisterous wind,— past the hotel, a great misshapen black pile, with a prison-like frown, from whose bosom not a sound came, and on whose

face not a light glimmered, gloomy as the cathedral opposite which looked, through the snow veil, like a huge monument with granite base and white marble shafts, sprung from the little graveyard at its side, on by the sleeping shops, past succeeding odd-fashioned, ill-shapen, hybrid buildings, combined tenements and shops, that invariably indicate the proximity of a port. Then the street made a steep descent, and the sidewalk, continuing upon the same grade along the terrace, guarded by a flimsy wooden railing, terminated in a steep flight of steps at the water front. Upon the terrace stood an old neglected dwelling, partly in ruins, which had formerly been an aristocratic mansion, ranking in elegance the villas flanking it on the right which dotted the lake shore. A portion of the building was inhabited, and efforts had been made to prevent it from falling into absolute decay; settling timbers had been propped in an ungainly way with fragments of spars and crevices and holes uncouthly patched with stray pieces of boards. The sidewalk ran within a foot of the tumble-down steps to the front door and the sloping lawn which once ran down from them had been cut off, for the street, like a slice of pound cake.

Not a soul had Herman encountered in his walk, and not a sound had broken upon his ear since he left the park. He had reached the commencement of the cut, and was about to retrace his steps, inwardly ridiculing himself for being led by his disordered imagination, when an angry, threatening voice broke upon his ear, coming from the direction of the old house. He hurried forward, and had reached the corner of the old building, when he saw the figures of two men, one standing within the doorway and the other upon the sidewalk, facing him, and overheard these words, coming from the latter:

"You lie, you d—d old miser, you have money and plenty of it, and somewhere buried in this house, and I will have it, if it be only in payment of her you let starve."

"I tell you, I have no money," said the other, in a voice weak and trembling, it seemed more from the age of the speaker than from fear, for it was sharp and bitter, "and it's you that lies, you ruffian, kidnapper and murderer, when you say that I let your victim starve."

"I'll have no more words with you, and if you don't disgorge I'll strangle the life out of your miserable carcass, then see what I can find."

"I'd sooner die than her destroyer should have from me the price of a crust of bread to save his life."

"Then, by God, take your choice."

The party below, sprang upon the old man, clutching him by the throat. In a few seconds Herman was by them, and had dealt the assailant a sharp crack on the head with his stick. His hat saved him from being stunned by the blow, and letting go the old man, he leaped back a pace and drawing a knife from his breast sprang at Herman like a panther. Herman, who was very agile and always ready in danger, darted aside and the would-be assassin came with full force against the railing next the sidewalk, which snapped like a twig and he fell some ten feet to the street below. Herman expected, when he looked down, to see him lying senseless from the fall; but he was already on his feet, and looking up at him and the old man who had joined him, his face ghastly and bleeding from a wound on his forehead, holding his hat in one hand and pointing with his knife in the other to his intended victim, he hissed through his teeth:

"My time will come yet, old man. I will have your life's blood. You had better be on your guard every minute you are alone, day or night, for when you least expect it, I'll be on you and next time, no talking, but my hand will be on your withered throat and kept there till your soul is writhing in hell."

As he spoke, Herman gave a shrill whistle, when the old man placed his hand over his mouth and hurriedly said:

"No, no, don't, don't."

"He wants a policeman less than I do," said he in the street with taunting voice. "He would not have the man who tried to strangle him appear before court and jury and tell his story; no, he would rather let him go free and run the risk of his making a better job the next time. He is well aware that if the world knew that sooner than part with a dollar of his hoardings this foul fiend of a miser let his only daughter and her baby die in misery, starve, he would be hounded and cursed and pelted through the

streets by men and women and children as the basest outlaw."

"You lie, you lie," fairly shrieked the old man, and he would have hurled himself upon the head of his torturer, had not Herman, anticipating his design, seized and held him.

"I shall remember you, too, young meddler, and teach you some day how to mix in other people's private affairs."

With these words, addressed to Herman, accompanied with a menacing look from his vicious eyes, he went off in the direction of the docks. The old man looked after him, nervously clenching and unclenching his lean hands, muttering, "villain; murderer; devil!" until he had disappeared in the snow. Then turning to Herman, he said piteously:

"You must not believe what that monster says. I thank you for saving my life. I never can repay you; but you cannot believe what he said, can you; I don't look like such a cruel being, do I? No, no, he lies, he lies. Poor girl, she knows the truth now and she's praying for me in heaven."

Herman certainly thought that the forlorn creature before him, with his mournful blue eyes, long, thin hair, his body emaciated and stooping, looked anything but cruel and so told him in his gentle way.

"And," he continued, "how could one possibly believe such a horrible looking assassin. But, do you live here alone, in this old house? You had better come with me to my lodging and remain tonight. You will be nervous here and it is very questionable if you would be safe."

"No, there is no danger now. He will not come back. I'm not afraid and I could not sleep outside my own house. It is too late; go home, don't mind me, I shall rest without fear. And please don't believe anything you heard him say. And let me have your name and address and I will come to see you. Maybe to-morrow. I thank you so much. You're a gallant and a kind young man."

Herman did as he desired, and told him that he would be very glad to see him and learn to know him, and then he bade him good night.

## CHAPTER VI.

### OLD DAVID SATERLEE

HERMAN'S office was with that of Col. Curtin, a member of the secession congress and later a colonel in the Union army, an old lawyer of limited local practice, but whose briefs were fat and his circuit was a wide one.

The Colonel was not at the office the morning after the incident just narrated; so Herman had it all to himself and his blue devils. He took up the latest law review, and read over and over again an essay on Extraordinary Remedies, without his being able to fix a single passage upon his mind. He then thought of the morning paper and his last editorial, a comparison between Lincoln and Johnson; there he found it, side by side with the valedictory.

"Good Company," he muttered, "assassination and impeachment."

He tried to write a letter to a friend, but his pen was paralyzed and his brain sterile, and he abandoned it in disgust. Giving up the idea of work, he resigned himself to his thoughts, such as they were. The events of last evening naturally came into his mind, and he speculated upon the secret history of the actors, the controlling motive of the attempt at assassination on the one part, what prompted the shielding from justice on the other, and the cause of the deep passion of both. Had he been in a better humor, he would have constructed a grand drama from this one scene. In the midst of his revery, there came a light tap at the door, and, in answer to Herman's invitation to come in, the door opened and the old gentleman of last night crept in, carefully shut the door and came forward, nervously holding in one hand his old broad, straight-brimmed beaver, the crown now frosted with snow, and stretching the other out, which trembled with cold or age, a little ways from his body towards Herman, who had risen to meet him.

"How do you do? How do you do, my brave young man? I came to thank you again for your kindness to a poor, weak old man."

"There is nothing to merit thanks in preventing a brutal murder, when it could be done without risk."

"No, but it wasn't without risk, he was powerful and ferocious, and would have assassinated you, if you had not been so active and so cool.

"Come sit by the fire," said Herman; "it is very cold and damp, you seem chilled. Let me make you a hot drink. I have a little brandy and hot water, and the Colonel is always provided with sugar and a lemon. It will warm you more quickly than the hottest fire."

"No, no, no spirits. I would not for a fortune, no not even for money, would I touch one drop of liquor; and oh! my brave young man, do not you drink it, oh! it is damnable; it will take away all that youth, all that bright fresh tinge of health from your cheeks, all that quickness, all that coolness, it will prostitute you; it will make a brute of you, it will drown your brain, and, more horrible than all, it will put murder in your heart. Yes, murder in a heart, that was as innocent as an angel. Oh, it is a terrible curse. Beware of it, beware of it."

The old man had arisen, and as he spoke he held up his thin trembling hand, and his eyes glittered wildly, and his lips quivered, his thin grey hair seemed to wave backward and forward, like a pendulum, and his lean body shook. Herman, for the moment, believed that he had a kinsman of the ancient Mariner as a guest; but the old gentleman grew calm as suddenly as he had become excited, and sat down, bending over the stove, nervously clenching and unclenching his lean hands, which appeared to be his habit.

"Excuse me, Mr. Thomas; I am a little nervous this morning, and drinking is such a curse, indeed it is. I hope you will not get in the habit of it; it don't seem to harm you at first, and it may do you good temporarily, but if affliction or misfortune come upon you, it will make you mad. Yes, yes, some it makes maniacs of, some it turns into beasts, and only a few are rescued from damnation." He went on clenching and unclenching his bony fingers.

"No danger, indeed, of its ever getting the best of me; it has not yet, and I have seen a great deal of the world, and been thrown with very dissipated people; but you have not yet told me your name, sir."

"No; that is so. Of course, you want to know who I am, and all about me; but I can't tell you much. I have no history worth telling. I am only a poor old man, very, very poor, and very old, not so much in years as in heart. And you need never ask any questions about me, for you can learn nothing. Few know me and nobody cares for me, and my life has been very uninteresting. My name is Saterlee, David Saterlee. I suppose I am generally called 'Old Saterlee' by the neighbors that notice me at all."

"Indeed, I am very glad to have met you," said Herman, and honestly, for a feeling of sympathy with the lonely old man had kindled in his heart, shut to the worldly and prosperous, but always open to the simple-minded and afflicted, "and you must come often and see me, and we will know each other better, and if ever I can do anything for you, in the way of business or writing, you must let me know, and it will be a pleasure for me."

"You are very kind, my brave young man, and I thank you very much. I will come to see you, but I won't bother you, and I will always go away if you are busy or do not feel like being disturbed. But you can do nothing for me. A poor old man like me has no business a lawyer can do, not even to make his will. I have just enough to keep me from absolute want till I die, and I have no one to write to, no kindred and no friends that care for me."

"And why should a desperate robber and assassin seek such a forlorn creature as his victim?" thought Herman, as he looked at him compassionately. The old man seemed to divine his thoughts and hurriedly replied to them.

"Don't think any more about what you saw last night, and never speak about it, and oh! don't believe what that monster said, it is a lie, a foul, malicious lie, and he is a wicked, a horribly wicked fiend."

And he buried his head in his hands and rocked back and forth in his chair, and muttered to himself, and Herman caught the words, "Oh, Mary, oh, my daughter, you know how wicked, how false, and you know how I loved you,

and you are praying in heaven for me now, for your poor, broken-hearted father, are you not?" At last he looked up and said, "I fear I am very weak and nervous, I did not sleep last night. You must not mind me; as soon as I get a little warmed I will go."

"You do not disturb me at all," said Herman, "I am glad to have you with me, as I am very lonely to-day."

"Lonely! You must not get lonely; I did not get lonely, when I was young, when I had my beautiful books, such dear, unchanging friends, and my happy thoughts as companions, and bright dreams of the future to cheer me. You should have these now."

"Yes," said Herman, "I have these at times, but one can't live all the time in such society, he needs some sort of incarnate companionship, or else he will become a useless dreamer, a fate which I am warned against."

"That is so, and so I thought once, I remember, and I laid aside my books for a happier companionship, and I never knew then what loneliness was, and the time passed by so quickly, and then I lost it, and with it I lost everything, and I was crushed down, and so terribly desolate, and I could not go back to my books. Stay with your books, my dear boy, don't try other loves; books grow dreary at times, but they don't bring bitter grief or regret or remorse. And yet," he continued, speaking to himself, "would I surrender my love for my dear ones in heaven, the hope of meeting them in a world of joy and peace, for youth and its ideals? No, better so." Then he looked up and said, "I must go now, but I will come soon again, maybe to-morrow, and you must talk to me, and tell me about yourself, and your thoughts and your plans and your troubles. I'm very wise, very discreet, and I may sometimes help you, not with money, not with money, for I am very poor, very poor, but I can sympathize with you and am not too foolish to advise you in some things. Good-by, I hear someone coming up the stairs," and the old man got up hurriedly and went out the door, as Colonel Curtin entered. The Colonel looked at him and then at Herman curiously, and said, "Good morning, David. It is hardly the proper day for one so frail as you to be outdoors."

"Good morning, Colonel, I'm not so weak as you think;

it will not be bad weather that takes me off," and he went shivering down the stairs.

"I brought you the mail," said the Colonel to Herman, and handed him a letter. "I see you have had a strange visitor. David is not seeking legal advice, is he?" Herman then related the adventure of last evening, omitting the conversation between the two and asked him if he knew anything of his history.

"Of late years I have seen little of him," replied the Colonel. "He leads the life of a hermit in the old house where you saw him last night, and shuns the society of his old friends. He was my college chum, and one of the brightest boys in the class, a fine classical scholar and beautiful writer, and was a perfect prince of good fellows. We all predicted that he would be a poet and a great spendthrift. He studied law and started practice in Philadelphia under fine auspices, and soon took a prominent position at the bar. On a visit here he met and fell in love with Miss Norman, a beautiful girl, the belle of the town, an orphan whose home was in this same house, then a handsome property. He was married to her and took her to Philadelphia to live. They had one child, a daughter. His wife died when the child was about twelve years old. He then broke up his Philadelphia home, and came with her to live here in his wife's old home. He seemed independent in fortune, had retired from active practice and occupied himself with his books. He was wrapped up in his daughter, had her taught the accomplishments thoroughly, and spent a year with her in Europe. Not long after his return, she became fascinated with a fellow who had secured the entree, one hardly can tell how, into society, a brilliant and showy man, a gambler and libertine, as it turned out. Her father read his true character, and as soon as he discovered the intimacy which arose between them, forbade its continuance. The result was she eloped with him, and married him clandestinely, and a year afterwards, I believe, she died in giving birth to a child which barely survived her, I have been told, abandoned in destitution. When David learned of his daughter's flight, his heart broke. He started to drink heavily, became reckless and violent, was completely

insane in his drunken moments, and finally became dangerously ill. He got up from his bed, after a long siege, a shattered man. He was almost as you see him now. He shut himself up in his house, allowed the city, for a nominal sum, to destroy his property for street purposes, refused all intercourse with his old friends, and denied himself everything but the bare necessities of life. People do not know whether he disposed of his means in his insane moments, or whether his whole nature has changed, and he has become a miser, and it is sad sometimes to place side by side the young man and the old man, the beginning and end of a life you have known."

Herman's letter was from Robert McFarland, an old playmate and dear friend whom he regarded as a model of manliness, and for whose ability and sterling traits of character he had the greatest admiration, and with whom he often mournfully contrasted his fickle, wayward self. It was from Santa Susana, Southern California, where for the past four years he had been superintending extensive oil interests owned by an eastern capitalist. The letter described in glowing terms the beauty and rich resources of this wonderful land, its marvellous climate, its fertility of soil, and sketched its history from the foundation of the Franciscan Missions to the present time, and was calculated to charm a much less susceptible being than Herman, and closed with these words:

"I believe that in no place in America is there so promising an opening for a young, energetic, wide awake lawyer, as this Southern California. If you should contemplate taking your shingle down in E., let me urge you then to come here. But, let me know before you do so, that I may tell you more definitely about our prospects. Do not, however, let one word that I say have any influence to make you dissatisfied with E., for you're bound to succeed anywhere; but in case you don't like E., I want you out here. We'll swim, or rather float down the tide together, if you are agreed; though, of course, it must land you on the higher eminence. It is easier for a man of decided character to make money in California than in any other place in the United States I know of. I assure you, the advantages

it possesses over all other states, in the way of climate and products, make it the choice spot on the continent for a home."

The letter finished, Herman handed it to the Colonel, and while he was reading it, his own fancy went immediately to work building castles in the air. Enthusiast as he was, every new and strange project was in advance crowned with brilliant success; obstacles and impediments were only such as existed in fairy tales that the hero prince bravely overcame.

"A little exaggerated," said the Colonel, "but I have no doubt a truthful picture drawn by the pencil of an enthusiast. California will be a great state, and the southern part, which my poor friends, Broderick and Col. Baker, used to call Cow Countries, will one day be the richest and the most attractive portion of the state, and ultimately will become a sovereign commonwealth herself. The surface of the earth and not its bowels produce lasting wealth and enduring prosperity. The oil interests will never permanently benefit the state, any more than the gold and silver mines, whose mission was to attract a hardy, courageous and enterprising population to a field possessing other legitimate continuing resources, that only need the hand of toil to develop. Those large valleys that were purchased only for the mountain's ribs, will prove the great harvest to the owners and the basis of the country's prosperity. I have watched the growth of California from its birth. It was a matter of speculation to me whether it would enter the Union handicapped with what I deemed an institution doomed to death by a civilized world, or whether the sturdy democratic elements among the pioneers would by honest strength overcome the ability, shrewdness and adroitness of Gwin and his distinguished associates.

"I was greatly interested in Broderick too, whom I knew very well. There was a seriousness in his nature, and his rough exterior hid a crude genius, for which he was never given credit. I had many quiet talks with him, away from the scenes of his popular leadership, and he struck me as one of those rough diamonds, so often selected in the inscrutable ways of Providence to carry out some great purpose. He anticipated his fate, and, with a sort

of mournfulness, told me that his return to California was but going to his grave."

Herman then asked him if he thought that it would be the country for him to make his permanent home in.

"There is much to be considered," said the Colonel, and he looked at the young man with an affectionate smile. "In the first place, you must study yourself, not with a decision already rendered in your mind, but impartially examine yourself and determine whether or not you can stand the contact with rough natures, can compete with shrewd unconscionable men of brazen assurance, whether or not you possess the latent energy to keep pace with the doings of a restless, untiring, pushing people, who are capable of almost any hardships and laugh at all obstacles to the success of their schemes. You will be obliged to keep your eyes wide open, and defer all dreaming till the time you may have a chance to sleep. And do not think that you go among an inferior class of professional men; some of the brightest, most talented, most highly educated young men of the country have been since the first gold fever tramping to California. Her legislation and her law bear the marks of a great creative genius, whom I consider the ablest jurist upon the United States Supreme bench, Stephen J. Field. And the bar of San Francisco stands high for learning and ability, and the California reports are cited with great respect. No, if you adopt it as your field, you must expect to succeed only by hard labor, and by catching the pioneer's spirit of progress. You must leave behind old monuments, conservatism, conventionalities and especially romance. Victories are only won by fighting, wherever you go; but I believe the booty is better worth the struggle than any you can expect ever to obtain here. If you feel within yourself that you are able to bear the roughing, then go. As much as I would hate to see you leave us, I can tell that your nature is too restless, your aspirations too lofty for you to be happy in a tame, uneventful sphere in life."

The Colonel's advice set Herman to thinking seriously, and he determined that he would take no action until he had thoroughly studied the pros and cons, and after consultation with judicious friends, and that he would religiously

refrain from painting in his mind any fancy pictures concerning it. Then there was another problem to solve, which bid fair to be the main one, where was the money to be obtained with which to make the transportation? He that night submitted the letter to his friends of the Keller. They all, at first blush, opposed even the consideration of a proposition towards his abandoning his present location which he had after due consideration selected whereat to hang out his sign, talked of the "rolling-stone, etc.;" they hated to have him go from their midst, and the Doctor said, "Don't you think it's that prophet of evil the Doctor said, destruction?" But they had to recognize the barrenness of the present field, and admitted that everyone had not the same philosophy as the Captain, and that a young man naturally would like to earn his living in his chosen trade. They then more unselfishly discussed the advantage to be gained by the change, and it was at last decided that more enlightenment was required, and something more definite proposed before a final verdict could be rendered, and in the meanwhile the idea was considered entertainable. Before retiring Herman wrote to his friend for further and detailed information, and explained his position and dearth of prospects, and that he could easily pull up his stakes and start for other fields, if they promised a better harvest; but that it would be as much as he could possibly accomplish to provide the means of reaching California, and he would need some business assured; that he sincerely wished to identify his fortunes with those of his old friend, and he spoke truthfully, and he felt that with such a companion and such a mentor, success must crown his efforts.

## CHAPTER VII

### FAREWELL TO THE KELLER

HERMAN had received another letter in reply to the one he wrote to his friend Robert, in which he informed him of his intention to run East almost immediately for a few weeks' visit, when he would see him and they would talk over the projects of casting his lot in Southern California.

They met, and after a fair discussion of the matter, in the light of all the facts, Robert putting to one side his personal desire to have his old friend near him, and Herman suppressing, as much as he could, his enthusiasm over unexplored fields, it was determined that if our friend could so arrange his affairs, and obtain the means to place himself at the town of St. Agnes, in Southern California, he would be assured of a livelihood from the beginning, with fair hopes of future prosperity and distinction.

Thanks to the bounty of kind friends who seemed to take an affectionate interest in his welfare, Herman was enabled to overcome the pecuniary obstacle, and having no clients, his affairs were easily settled, and his loves and affections, except the love which flows in blood, purest, the most lasting, and which is so often doomed to exist apart from its object, were all sealed in urns, and thus the packing and transportation of his household effects, including the gods and the urns, were without difficulty effected.

No one was more deeply grieved to have Herman go than David Saterlee, although he uttered not a word in discouragement of his purpose, in fact said:

"You will do better in a new country, you will make money, you will make friends better able to assist you than those here, and maybe you will be a great man. I hope so, I hope that you will survive the ordeal to which you will be submitted. You must write to me often, always about yourself, tell me everything. Your letters will

cheer me, and if ever I can do anything for you, let me know; anything but give money, I can't do that, I am so poor; but some day I may help you and be a comfort to you when you need it."

But until the day of his departure, he hung about him, and seemed very sad, and one beautiful and peaceful evening he invited him to go with him to the graveyard and they went to a green lot, surrounded by a wall of rough-hewn lime-stone, over which the ivy was already creeping. Two little marble slabs marked two mounds, each of which was sacred to the memory of Mary Saterlee; beloved wife and beloved daughter slept side by side. A simple white marble cross stood between them and bore the inscription, "Mary." An old spruce tree bent over them and a rare rose bush was at the foot of each, and lilies-of-the-valley and violets nestled in their bosom. A loving care seemed to have been bestowed upon the lots and the plants. The old man first taking off his hat — and Herman did the same — unlocked a little iron wicket and they went in.

"There are my darlings," the old man said, "all I have to love me sleep here. And their pure spirits are praying for me in heaven now and support me and cheer me and will watch over me until I lie down to rest beside them."

He took from his bosom a packet in which were wrapped two beautiful camomiles, and kneeling down placed one on each grave. Then he bowed his head upon the cross, his grey hair fluttering in the breeze and his hands trembling, and seemed to pray, and Herman stood beside him, deeply moved, and himself offered a petition for the rest and happiness of the desolate old man.

The Keller was assembled in force the night before his departure, and some little extras were provided, such as Welsh-rarebit and Rhine-wine, and it was sought to make the evening as jolly as possible, and when looked at in the past, if the jollity was tempered with a little sadness and the humor flavored with pathos, it was a very happy evening. They predicted for him golden harvests and wonderful achievements, and married him to a native woman, with olive complexion and black, amorous eyes, and that tinge upon the upper lip, concerning which an enthusiastic newspaper reporter once said, "It is as much

essential to the beauty of a brunette, as the blush that mantles her cheek."

When he felt the magic moment arrive, when each bosom was mellowed, each heart thawed out, and when he knew his words would be greeted with warmth and "*Enthusiasmus,*" as he termed it, the Doctor arose from his chair, emptied and refilled his colossal mug, distended his chest, and in rich melodramatic style, proposed the health of the parting friend in the following address, which the Captain afterwards maliciously accused him of having taken a week to prepare:

"It is well, gentlemen, that I, on behalf of die Keller, its senior und its Oberst, in proposing die health of our friend who to-morrow flies forth to other und, we hope, more fecund fields und greener pasturage, do speed him mit words of counsel und advice as well as mit die bumper's inspiration. Not that I should pit my feeble utterance against die silent eloquence, die voiceless benediction of die stirrup-cup, but before die final moment comes, und ere we mingle die unseen tear drops of our weeping hearts mit die blessed chrystals of die parting pledge, I would cast into his knapsack some articles of worldly wisdom which I myself gathered under many difficulties, und which may be of use to him. In leaving die Keller, which represents die intellect, learning, social character und customs, political aspect und moral status of die entire community where it is located, he goes forth to, absolutely mit him, a terra incognita, if I may be pardoned for employing die words of a dead language in a mushroom age that has a contempt for anything exhumed from die rich grave from which it springs und has a fungus existence. He enters a country totally different from die one where his tastes were formed, und his character moulded, a society in discord mit die solidity, consistency und flavor of an old und mellow civilization, und different from die mild conservatism of his childhood home und present sojourning place, und I fear he is not in die best of training for die contest mit die personalities, methods und devices of die miners und sappers und foragers of die frontier state. In die first place, my dear friend, I recommend that you put in your travelling bag die Physiognomik of that good

old Swiss, Lavater, who, although he was a Swiss und could consequently speak no language correctly, could read die human hearts like a book, from die lineaments of die face und die movement of die form; und don't think lightly of him or die art to interpret die shadows thrown by die thoughts und passions of man upon die countenance, figure und actions, because a grey-headed old fool who goes around die country feeling bumps adopts him as a patron saint, to throw an atmosphere of sanctity about his quackery. Die familiar passion, die chronic sentiment, flashed in die camera-obscura upon die sensitive features, by die trained eye und keen perception of die artist may be at once detected; by repeated action it becomes an engraving, und anyone may trace its lines, as anyone can see die resemblance of Darwin's picture to die orang-outang. It is a threadbare axiom that you must not trust a man that cannot look you square in die eye; but good-natured people like yourself, are apt to recognize exceptions to die rule, which I say never exist, for it is inflexible as die sphinx's face; und let me warn you here, to never permit your Roman Catholic idea that good exists in everyone, warp your judgment of human nature formed from observance of die infallible signs die soul is permitted to hang out upon die body. Die great virtue is to know und understand, und then be lenient und charitable; die gentle, childlike Nazarene loved poor man, but yet He knew him well; He could read die treacherous heart of die betrayer Judas und foretold die cowardice of die fisherman, Peter. Mit superficial observers die dogged, downcast look is often confounded mit nervousness und shyness that avert die timid glance, as they make die unstrung muscles play unnaturally, like die action of electricity on die legs of frogs, und produce often a brusqueness und affectation; but die difference is as easily detected as die cat's glance from die dove's, und I say to you that one whose eyes cannot encounter yours in an independent glance, is to be shunned und guarded against mit all die combination clockwork locks, wrinkled school marms und maiden sisters that modern science, education und religion have invented as safeguards to themselves. Not that die converse is true, for many a hang-dog face is hid behind a brazen mask. Another un-

mistakable sign of a bad heart is a mechanical smile, die opening und shutting of die mouth like a spring rat-trap, die jumping-jack-like operation of die facial muscles. Die hearty laugh, die rippling smile, die sparkling of eyes und twinkling of dimples, are indicatives of a truthful, ingenuous spirit; die metallic guffaw, which sounds like a piece of noise sliced off in bulk mit a sharp knife, und die silent contraction of die lips, showing die teeth, creases in die cheeks dat mark die habitual grin, die face in repose like an automatic toy, invariably betoken an ossified heart und cruel nature. When you encounter die velvety, purring man, mit die soft voice und smooth manner, that never approaches you boisterously, but creeps upon you noiselessly, und you find him when you least expect it at your elbow; who seems incapable of blurting out an honest opinion, or making a noise of any kind, who agrees mit you in all propositions, then you think of die cat, mit all his graces und accomplishments, und if you want to see his claws, just give his tail a twist, or as he is a man, just tramp on his corns. These are rude, commonplace features I call your attention to, which you have seen und doubtless read about many time, but they are signs it is well to keep constantly in your mind. Another class that you will soon become familiar mit, und no advice upon my part will have effect to make you avoid them, they have peaked faces, sharp noses, thin lips, a general bleached-out look, und their beard beneath their chin does not grow gray by individual hairs, but fades like a piece of red flannel, und die Lord usually has crooked their spine or rheumatized their limbs or broken their legs, or put asthmatic holes in die bellows of their lungs, und has given them all a gentle und persuasive voice that enables them mit honeyed sweetness to exact die pound of flesh. These are die miserly money-loaners that follow through die world die usurious rate of interest. You will some day be in their clutches, I know, for when die poet of a mine, or a cattle drover enthusiast, or petroleum visionist point to you die golden beauties of a stupendous speculation, you will mortgage everything, but your honor, at die highest rates of interest to be let into die romance on 'bed rock,' und die mortgagees will succeed in interest to all of material you have

in existence, mit a perpetual judgment on your future. You will also, in your professional und political career, come in unsavory contact und ill-odorous conflict mit, in all its rankness, America's most prolific progeny und direst pest, die charlatan; enemy of die divine art of healing, die merciless hospital stewart of death, poisoning mit drugs where old women would heal mit herbs; in gown und wig, a pettifogger und a shyster, sucking die blood of die innocents, creating discord und entailing ruin between peaceful members of society, forever dividing families und breaking up homes, crowning a petty quarrel mit a decree of divorce; masking as a politician, a blatant demagogue, die leader of hungry, howling mobs, a turncoat, a Hessian und a traitor, a thing of brass und lungs; under all disguises he plies his bastard trade, in front of die altar, on die tripod writing eulogies und slinging filth, die extorter of bribes und hired extoller of die virtue of thieves; in die marts of trade, die abuser of confidence und die peddler of counterfeits; as public servants, die fawning slave of die 'powers that be,' und insolent bullies of die subservient public. I am sure that you will never be found their ally, no more that you could possibly serve in their ranks. Next to die army of quacks is a remarkable element, more dangerous in their influence upon a man of thought und intellect, than die inroads upon body, soul und estate of die former. They call themselves statesmen, lovers of their country, reformers, anti-partisans, independents, socialists. They exist in society, no doubt for good, as do infidels und free-lovers, die unenviable means of resultant benefits. They may, upon occasion, save their country, as saved Rome die flock of geese, but often are they die drenching rain that cools die ardor of die patriot host, as when they cried for peace at die critical moment die unsheathed sword was die only hope of our country's salvation. They may represent die disinfecting power of plagues und tidal waves, but God help one from being an atomic insect in die multitude that form die scourge. They evolve frothy sophistry from solid reason; instead of churning die cream into butter, they whip it into foam, they never coin die gold they possess, but roll it out in leaf. They apply pathology mitout diagnosis, und treat social, moral und

political complaints in die same manner that women write novels about men, mitout a clear conception of their anatomy und physiology. From this hybrid host genius never soars, hero never springs nor zealot breaks forth. No calendar of inspired reformers emblazon its banners, und no book of martyrs is cherished in its archives. Have nothing to do mit these astrologers, und let loyalty to God, to country und to party be your watch-word. Spend your time in burnishing up die Gods of your fathers und keeping die old hearth-stone clean, instead of looking round for brighter idols und newer households. Never loose your hold of sacred things, much less lay irreverent hands upon them. Remember what die immortal Schiller put in die mouth of Wallenstein: 'Woe then to them who lay irreverent hands upon his (man's) old house furniture, the dear inheritance from his forefathers; for time consecrates, und what is gray mit age becomes religion.' Vandalism holds brief sway, it comes und destroys und exhausts itself like war und pestilence. He who remains loyal dies die hero of posterity, or lives to see die sacred Phœnix rise from die ashes. Be guided ever by a principle und good purpose. It is simpler und does not necessitate constant attention, like die jugglery of expediency, und reaps, if deferred, still a golden harvest, mit which is garnered content und peace. It may bring you many mortifying reverses und defeats, in youthful aspirations, but mit them wisdom und die dignity to support die honorable trust that in die end will be given you as fruition of a noble career. In die grave affairs of life, be ever serious, you never see a joker in Parliament become a leader or a statesman. When he opens his mouth die people are tickled, not moved.

"There are many more things I could say by way of counsel, but die members of die Keller are nervous und thirsty souls, und I think I already read impatience on their faces. Besides, my words can be but preparatory lessons to die introduction of that stern, old-fashioned school-master, who never spares die rod, experience. I hope he may teach you much und castigate you lightly. Und now my distinguished colleagues, arise und drink a bumper to our departing friend, und mit it breathe die silent benediction of die Keller, which, if pronounced by

lips that know no ordination, und bear not heaven's frank, has still what efficacy lies in prayer from loving hearts, die only charm on earth that can invoke a heavenly blessing."

As we turned into the park, Herman and I looked back at the plain old building which held the consecrated Keller, homely temple for such a sanctuary. At the door stood the Captain, with his arms folded across his breast, following us sorrowfully with his eyes. "*Glück Auf!*" he cried, "*Glück Auf!*" And the simple, plaintive words of the Saxon miner, of welcome and farewell, "Happy Outcome," found a fervent response in my sad heart, and awakened in my companion's mind a wondering, doubting thought of what was to be the issue. As if designedly to impress on Herman's mind a charm with which he would at times call into his memory the chapter in his life just drawing to a close, the old philosopher broke into melody and sang, with marvelous feeling, the Wanderer of Fechte. Often since has the talismanic strain stolen into my solitary thoughts awakened familiar spirits of the Keller, and more often still have the words fallen upon Herman's heart, in his unrest and loneliness, "*Weit in die Ferne wandle ich allein.*"

He never entered The Keller again, and in his California life, though there were many convivial evenings, many gay reunions, nothing took its classic, romantic, mellow, merry, instructive, melodious, soul-impregnating, heart-warming place. It had the genial aroma of those dear old London inns, and could not exist in the chilling oxygen of a new country.

The moon shone this night, and it was a favorite pastime for him, in his musing moments, to call to his mind the different waters, seas, lakes, rivers and streamlets, on which he had seen its beams flash, and where its silver tether, floating on the waves, led along the throbbing ship that held his warmly, wildly beating heart, beating with such great love, that love, the true touch-stone in life wherewith to test human nature and find out what is gold and what is dross; that tender, gentle, unselfish, sensitive feeling of endearment to God's creatures and creations, which enables man possessed of it to see good in them all; the love that our Savior tries to teach mankind in his divine

sermon on the Mount; the love which the noble St. Paul makes the greatest of the three Christian virtues, faith, hope and charity, charity being love; the love which enables one to penetrate where a usurer's eyes, which are sharp enough, can never see, through all the earthworks of sinfulness, the icebergs of selfishness or stoicism, the black clouds of ignorance and infidelity, into the deepest recess of a mortal's heart, and discover, hidden from all uninspired eyes, a gem, however obscured its ray or dimmed its lustre, of good.

The moon, as we walked along, shone down through the rich hues of the Autumn foliage, and its rays seemed to catch from it a gentle glow, like the flush that warms the sculptured marble, and loitering in its light, I talked to him about this sweet spirit of love, and begged him to foster it through his life, through adversity, persecution, neglect, desertion, should they be his bitter experience, for it is a thread of the heavenly flame vouchsafed to his heart by Him whose name and being is love, to cheer and warm it when youth's fires burn low, and to light the spirit through the dusky passage of death. And so I said good night, farewell, godspeed.

## CHAPTER VIII

### HERMAN DESCRIBES HIS NEW HOME TO OLD DREAMS

LETTER from Herman Thomas to the Writer of these Chronicles.

ST. AGNES, January 1, 186 —.

MY DEAR OLD DREAMS: I pledged myself and promised you to supplement the brief feuilletons I have sent you, with a long letter. I think that I can commence the New Year in no more Christian way than in gratifying the, I know, honest wish of my dear old friend, especially as by so doing I perform an act of self-sacrifice. You know how I rebel against letter writing, but you cannot realize what a heroic effort it is for me to correspond with family and friends. I never know what to say. I bite the end of my quill and then my lips, and finally commence with a common-place and quickly end with a conventional platitude. When you really love one, how can you transmit to paper the tender thoughts, the sweet fancies, the yearning for the communion of words and looks, the fervent invocations and the blessings breathed. If you could, would they not startle and shock you like materialized spirits?

I have been thinking to-day of the last evening at the Keller, and our farewell walk and talk, beneath the gorgeous Autumn foliage. I have cherished and ever will cherish that unselfish love for all God's creatures, and I often felt that what grateful appreciation is invoked from them will be the only peace-bringing spirit which will dwell in and cheer this heart, so chronicly desolate. I thought of this rich-hued foliage, as at evening the ship glided into the beautiful harbor of Aspinwall, it seemed painted upon the sky, and again it greeted me at sunrise in the landlocked beauty-belted bay of Acapulco, where it bade me a long farewell. No traces did I find of it within the

portal of the Golden Gate; an Italian sky, frescoed with delicate tints, as if in water colors, canopied the far famed harbor. In traversing the country by stage, three days and nights from San Francisco to St. Agnes, on the storied Camino Real, neither sky nor earth presented any autumnal magnificence. The one was even-tinted and cloudless, the other displayed the unchanging somber green of the live-oaks, which stood like great apple-trees in a brown and parched fenceless orchard. It seemed a pity for one who is controlled for pleasure or pain, buoyancy or despondency, by the spirit of beauty and fragance, to gain his first impressions of his adopted country in its worst aspect in the dreariest time of the year. Despite, however, my disappointment in regard to the beauty and picturesqueness of the country, my journey overland was entertaining, on account of novelty, and it was not without incident.

On the first day's trip, I came in contact with, in all its rankness, the typical Western drummer. Not the gentlemanly, jolly, liberal, warm-hearted commercial traveler, but the low, vulgar, obscene, piggish, insolent drummer, the curse of stage and steamer travel. I had, during the day, occupied a seat with the driver, and it was my privilege to retain it during the entire journey. After dinner, upon returning to the stage, I found it occupied by one of these unclean beasts. I called his attention to the fact that it was my seat, and received in reply a piece of vulgarity which he meant for wit. I was quite content, however, to go inside, as night was approaching, and it bid fair to be very cold. The drummer had a flask with him and plied the driver, a young man, not over twenty years of age, with the contents. At midnight we stopped on the top of a mountain, down which the road wound along a dangerous trail. The drummer then said he would go inside the stage, as he was cold. The driver, who himself knew that he had indulged too freely, begged him to remain on the box with him; but he refused. The stage started. For a half hour we trotted along at the usual gait, then the speed increased, and finally the horses were in a full run. I supposed that it was simply the Californian custom of speeding on a good road, and felt exhilarated by the rapid motion.

Suddenly a number of persons rushed from the roadside, swinging lanterns and shouting to the horses to stop, and finally succeeded in bringing them to a standstill. Of course, I said to myself, this is the usual stage-robbery, but on looking out, I recognized the station we had last left. The driver had fallen asleep on the box, dropped the reins, and the horses had turned and run back, and had they not been stopped the instant they were, my career in California and in this troublesome world would have been summarily cut short.

The day following we stopped at a pretty little station with tastefully painted house and trim, well kept garden, and flowers trailed over the house, and flower beds skirted the walk. A plump, rosy-cheeked maiden, neatly dressed, stood in the doorway smiling. Her face had a look of refinement, and my imagination immediately drew a little romance of a family who had met with reverses in their old home and had come to California to rebuild their fortunes. As the driver reined in his horses, he turned to the damsel, nodded and smiled and called out, "Well, Sally, did you ketch that piany you were going to make the old man buy for you?"

The pretty damsel laughed, showing two rows of the whitest and purest pearls and answered:

"You bet your ribs, Jim, I ketched it."

We had been traveling two days through the interior, and early in the morning of the third day we pierced the Coast Range of mountains, going through a wild, grand, romantic pass, unlike anything I had ever seen in my travels; but such as Walter Scott described in his pictures of Highland scenery. Steep precipices, overhanging crags, great almost perpendicular walls of rock in whose sides are embedded great bowlders, which, it seemed, a touch might dislodge and hurl to the roadway below; seams and fissures and huge stone piles, the sides of the pass covered with scrub-oak and chaparral, sturdy live-oak trees standing on top, like sentinels, and flowing through a great bed of rocks and bowlders was an innocent enough looking stream, which when the rains come turns to a raging, destroying torrent.

I sat on the box with the driver, who, different from

the most of his silent brethren, was very communicative. He pointed out to me as we entered the pass, the house of the notorious Peters, the supposed murderer of a poor young man and his wife, also the scene of the murder. Suddenly we came in sight of the ocean, calm as a placid lake. A chain of islands of deeper blue, obstructed the horizon, rising from her bosom and reaching heaven's dome with their peaks. A waving band of white foam on the beach marked the peaceful beating of the surf. We drove along the beach, beneath barren bluffs, around jagged rocky points, along the smooth velvety sand, the wheels noiseless and the footsteps of the horses muffled, the white foam seething beneath the coach and under the beasts, the fresh, cool, salt breeze fanning our cheeks. I forgot the fatigue of the journey, a new vitality seemed to animate me; I took my hat off and said, "Hail to thee, old Pacific, we shall know and love each other well."

The Hon. Wm. McElhenny who presided over the vessel transporting us to our destination is one of the characters of the country, as I learned from himself and subsequently from others, possessing a good, kind heart, and being full of wit and quaint humor, he was very popular. The boys, a few years since, more in the spirit of frolic than anything else, secured his nomination to the legislature. His opponent was a wealthy man, who had made his money raising hogs, or, as they were commonly called in the Mexican vernacular, *coches*. He ridiculed the idea of McElhenny obtaining the position, and in a speech said: "Why, my friends, at this important stage in the growth and development of our state, you could not think of choosing as your representative in the legislature, a stage-driver." To which Mr. McElhenny pointedly replied that he could not see that it was more debasing and it required as much skill to drive a coach as to drive a *coche*, which *bon mot* secured him his election. But, it was a sad day, so he himself feelingly said, that honors were thrust upon him. His wit and humor made him the pet of the legislators, and his presence was demanded at every convivial gathering; he thus contracted dissipated habits which he never afterwards could break, try what he would, and he knew they were hastening him to a premature and ignominious grave.

Going through the pass, as we bounced over bowlders and chuck-holes and ruts, he said, "The darkest nights have I passed through here, with sometimes my friend Bully Ames by my side, I have said, 'Look out, Bully, for that old limb; hold on, here's that big rock; mind the chuck-hole this side the bend,' and all was plain sailing; but I never in all my staging got into such a lot of d—d chuck-holes, as I did when I went over to the Islands in my friend Capt. Chase's schooner. I thought we'd go under, sure, but the captain stood manfully by the break, and we landed all right; but I swore I'd never stage it again off land."

At the next station, the Hon. William having turned his team over to the hostler, was deluging his head with water preparatory to breakfasting, when a rough-looking character, evidently a Missourian, a good deal the worse for whisky, swaggered up and brandishing an ugly-looking revolver, gave a yell, and shouted, "I'm a confedrit, I am, and I can lick any ten Yanks in the country." Mr. McElhenny turned around, and as he did a fly lit upon his well developed nose, "I kin shoot that fly right off your smeller, I kin," said the Missourian, leveling his pistol at William's nose. "For God's sake, don't shoot," he said, "there's a woman in the house in a very delicate condition, and you'll scare the life out of her." The man lowered his pistol, took a square look at him, grunted and went off.

I have been long enough in my new home to be able to draw you a truthful picture of it. In a valley on the coast, running from the St. Agnes range of mountains down to the ocean, nestles the little town of St. Agnes. Still little, but day by day making strides toward greatness. In every direction are springing up among and around the old adobe buildings of the native Californians, with their massive walls and red-tiled roofs, less picturesque, but more commodious houses of enterprising American newcomers, the unmistakable signs of speedy growth.

In all my travels, and as you know, I have wandered about the world a great deal, I have never seen a prettier picture, a lovelier scene than that which draws one at sunset to the top of the neighboring hill, termed The Mesa, overlooking the valley and town. The bold and rugged mountains,

bathed in the evening glow; the rolling hills and level plains, carpeted with delicate green and dotted with building; the church spires and the Catholic cross pointing heavenward; the curved beach, the smooth sand fringed with the white surf; the almost motionless ocean, resplendent in a thousand tints, from whose bosom rise the blue islands; the old Mission, built by the Spanish friars almost a century ago, which though bearing sad marks of decay, still keeps watch over a community fast growing oblivious of the holy fathers and their spiritual task, upon whose foot-worn corridors, and past its time-stained fountain, the melancholy friars, in their grey gowns still walk, thinking perhaps of their bright missionary days, their wealth, their prosperity, their power, their happiness, like their devoted convert children and the most of their spiritual flock, gone. As the music of the Mission chimes, mingling with the curious harmony of the distant street din, steals up on the breeze, one's fancy is awakened by the strange and suggestive contrast, the old with the new, the conservative with the radical.

Now is the time to come to this beautiful valley on the Pacific, after the early rains, now, with the greenness, the freshness, the bloom, the melody of our spring. How I wish you could come, dear Dreams, your gentle, happy smile would be a sort of benediction upon nature's loveliness. The climate of St. Agnes, in softness, balminess and healthfulness, is superior to that of Italy. The mountains shield it from the northern blasts, making winter but a name for a few months of the year; while the breeze from the ocean fans away the heat of summer. No seeds of consumption sewn by bleak winter winds; no malaria generated by summer sultriness, and snow comes but to crest for a day or two the highest mountain peaks. The winter is probably the pleasantest portion of the year, especially to those who love to hear the occasional pattering and splashing of the rain and scent its fragance and see nature awake at its quickening touch. Our bachelor quarters have been cozy and comfortable this winter, and we have not once had a fire; indeed, our house is without a chimney. This is a spot for lovers. I write this with a sigh, as you know all trysting with me is in the past. Never have I

seen such perfect nights, such brightness, such softness, such balminess; the moon seems brighter, starry constellations more brilliant than in other lands. They are nights for the serenade, the guitar and love song, for romance and sentiment, for the prominade beneath the graceful pepper trees, or on the smooth strand, where the moon flashes silver on the breakers' crest. The beach is smooth and gradual in its slope, making delightful sea-bathing and affording a ten-mile drive at low tide. The drives and walks about the town are many and picturesque. A few miles northeast of us are the Hot Sulphur Springs sought by invalids, in a wild and picturesque cañon, densely wooded with live oak and sycamore, and threaded by streams that skirt the road and cross one's path, and hide beneath embankments covered with fern, from which steals up their chant, mingling with the symphony of the wild woods.

The St. Agnes channel, protected by the chain of islands opposite, is, with the exception of a few days in the year, when south-east winds prevail, perpetually smooth, and the semi-weekly steamers land their passengers safely and without discomfort. Do not imagine that we are away from the world, out in the wilderness. We are a civilized community in a civilized country. It is true there is a wilderness about us, still a harmless, attractive wilderness. The deer still frisk in our mountains, and the grizzly-bear, the wild cat and the fox make them their home, and the silence of our cañons and our plains is yet broken by the bark of the coyotes, and the quail and the hare and the wild duck make glad the sportsman's heart. With all this, we are in the midst of the world; there is not an Eastern scandal that escapes us here; it arrives late it is true, when probably it has faded in a more recent one in the place of its birth, but nevertheless it reaches us fresh and full of flavor to those who relish it.

There are some few American and English families in St. Agnes of great refinement and highly accomplished. Music principally draws them together, and you would be astonished could you be present at one of our reunions, and feel the taste, talent and high cultivation displayed. Untrammeled by the needless conventionalities of fashionable society, there is a freer, happier, franker, more natural in-

tercourse between well-bred people here than in older and more straight-laced communities. One peculiarity I noticed which was soon accounted for. My first evening at a social gathering, I was impressed with what seemed to me a foolish, nervous little affectation on the part of the ladies, and a restlessness and fidgetiveness about the men. A lady would be talking very quietly, when she would suddenly twitch her shoulders, throw her head nervously from side to side, laugh hysterically, and presently ask you to excuse her a moment, that she wished to run upstairs and get a piece of beautiful sea-moss to show you. A gentleman would be conversing in a very dignified manner, when he would begin nervously crossing and recrossing his legs, and violently shrugging his shoulders, and would finally get up, and walk up and down, talking in spasmodic jerks. While puzzling my brains about this, I felt a little irritation directly in the small of my back, which grew instantly into an intense burning itching almost unbearable, and the solution of the enigma flashed upon my mind, it was *fleas*. They are certainly an insidious and remorseless mutilator of the finer skins, and it seems impossible to exterminate them, though cleanliness and insect powder, in a measure repulse their attacks. They seem to have a patriot's love for the old adobe houses, and whenever the rooms are cleaned and a dust pan full of supposed dirt is taken from the corner where it has been swept, invariably about a third of the contents of the pan leap to the floor. In the old Missions, the natives say, it was customary every Saturday evening, in order to secure uninterrupted devotion on Sunday, to drive a band of sheep through the church, for whom the fleas have a peculiar fondness.

I have gathered from old settlers, among them, one Señor Don Ramon Malo, much of the unchronicled traditional history of St. Agnes.

From these traditions we learn that everything in government, society and commerce worked smoothly and mechanically under the old régime, before the fair land of Southern California was invested by Fremont and his foreign Yankee hordes. Don Pedro, the venerated and feared dictator of St. Agnes, ran the machinery on the same plan he did his patriarchal household, his wife, his numerous

progeny and his Indian peons, with despotic sway. He, however, seemed powerless to prevent certain little indiscretions of the merry-men of his vassals, though a true and stern old feudal lord, and no inquisition could solve the mystery of the sudden disappearance in a lonely cañon, when the traveled road ran in the mountains north-west of St. Agnes, of occasional travelers, rich Basques and well provided cattle dealers, and the confiscation of their effects. He sought to offset such unavoidable misadventures by uniform courtesy and kindly hospitality to the stranger within his gates. It was always a subject of annoyance and mortification to him that there was one within his jurisdiction who did not sufficiently bow to his supremacy and show the proper degree of respect in his presence, and he on one occasion was tempted to suspend whatever in Mexican law is the equivalent of the right of *habeas corpus* in his peculiar case. The following are the facts constituting the offense:

Don Pedro was an ardent friend and warm supporter of Don Carlos, and he would argue the question with Don Juan, the party of whom I speak, or anyone else, so long as he maintained the vantage, but the instant he saw himself being worsted, he would summarily end all argument with the exclamation, "Speak no further, Don Carlos must win, for his cause is God's cause." Don Juan happened to be at the beach one day when a Spanish vessel arrived, bringing the news that Don Carlos had been badly beaten; he immediately ran to the feudal mansion, awakened Don Pedro from his sacred siesta, crying "News from Spain, news from Spain!" "What is it?" said Don Pedro starting up from his couch. "A great battle has just been fought. God was whipped." Saying which he immediately bolted and prudently remained a week in hidden seclusion.

Another leaflet from Don Ramon's folk-lore may interest you:

When war had been declared against Mexico, and the arrival of the American hosts were daily expected in Southern California, St. Agnes was in a tremor; of course not of fear, but of excitement. One day the news came that a United States vessel of war was approaching the harbor.

A council of the ancients of the City was immediately convened, and many plans of offensive and defensive action were proposed and discussed; and finally the following one, designed by a Frenchman, whose brother had commanded a crack regiment under the great Napoleon, was adopted. He was to take his spy-glass and the only available artillery St. Agnes afforded,— a small brass cannon, which had been used alternately with anvils, to fire salutes during religious and civic processions (I am unable to say how many of a pounder it was),— to the top of the mountain, a distance of twelve miles in a bee-line from the ocean beach; in the meanwhile all the expert vaqueros, the moment the vessel was sighted, were to conceal themselves and their horses along the beach. When the ship had anchored, and the proper moment, in the judgment of the French commander, had arrived, he was to fire the cannon from the top of the mountain, at which signal the vaqueros were to rush through the surf and lasso the masts of the ship, capsize it into the breakers, and harpoon the soldiers and crew as they endeavored to escape to shore. This brilliant *coup d'etat* was not carried out — only because the ship never came.

But I feel weary, as no doubt do you, with such garrulous well doing and I will say good-night. Before I lay down my pen, however, and I do not know why it should come to my mind just now, and I am so prompted to speak of it, I desire to tell you of a most agreeable acquaintanceship I have formed with an educated Southern gentleman, Col. Morgan, and his two charming daughters; the ladies arrived from the East immediately before Christmas, and I was their sole guest at a happy Christmas dinner, and it needed, to make it a perfect Yule-tide feast, only the ice and snow and piercing winter wind to contrast with the warm hospitality, the gleams of filial love, and sunny smiles. There is but a year's difference in their ages and both are beautiful and both accomplished; they sing and play with sweetness and thrilling expression, and they bewitched me into joining my untrained voice with theirs, and their father added a soft tenor, and I assure you it was not an execrable quartette we improvised. Yet, the elder seems many years older than her sister. At times her eyes seem to have an

unfathomable depth, and a sad seriousness steals over her face, and her voice deepens and her figure grows commanding-looking, and her father and sister become silent and gaze at her, as if expecting to hear some divine revelation. The younger is a happy, merry, innocent, naïve, mischievous, tender-hearted, winsome child, observing and asking questions about everyone and everything, and in a harmless way mimicking everyone she meets in their peculiarities; sensitive and easily wounded, a quiver of sunbeams, dimmed ever and anon by showers, through which the rainbow quickly shines. Were there not departed spirits, to which I am loyal — Well, good night, dear Old Dreams.

Your wayward protégé,

HERMAN.

## CHAPTER IX

### FUN IN A SURVEYOR'S CAMP

PIERCING the mountain barriers of St. Agnes are many beautiful cañons. At their portals are natural parks, wooded with gnarled live-oaks and towering sycamores. In springtime the dark somber foliage of the oak and the lighter-tinted leaves of the sycamore and the brilliantly green turf, present a charming harmony of coloring. In Autumn the hues, not so softly blending, are more like a musical discord; the oaks, unchanging in attire as the mountain peaks, retain their somber dress; the sycamores are robed in green and gold and the turf puts on a quaker gown of brown. Following up and back, the ravine gradually narrows, and the shrubbery grows dense, the forest trees shrink to a nursery of scrub-oak and saplings; ferns in wild profusion climb over rocks and bowlders, the gray mountain-sides, impassible walls, joining sky and earth, come nearer and nearer, until they are almost bathed with the stream that rushes and ripples and gurgles between them, now flashing in the sunlight, now dark and gloomy in the bowlder's shadows, now softly singing like screened nuns, beneath a network of fern, now bursting forth in a torrent of wild melody; onward and upward, until the cañon meets the mountain, and way up on its rocky face, the brook springs forth, like a burnished blade which one would fancy to be the gleaming sword that had cleft its rugged body.

A short distance up one of these picturesque cañons, within sight of the ocean and islands, and in hearing of the softened sound of the breakers, in a grove of venerable oaks and sycamores, on the banks of a mountain stream, nestled the camp of Captain Seymour. It was certainly a model surveyor's camp. There was a large tent with cots, and chairs and table for the officers and their guests, and a large tent for the men, a small dinner tent, the cook's little tent and

a kitchen tent; a shelter under a brace of mammoth oaks for the horses and a milch-cow, a spring house, made of bark and willow branches, a hanging meat safe, and in a sheltered nook, beneath perpetual shade and where the breeze blew most refreshingly, mounted upon a solid tripod, reposed a keg of lager beer. There was also a rustic table and camp chairs under the trees in front of the officers' tent. Up the cañon, a few hundred yards from the camp, upon an isolated mesa was an old house, then uninhabited, save by wood-rats, squirrels and migratory skunks, with crumbling adobe walls and shattered wooden roof, dismantled windows and rickety doors. The winds made of it a roistering place, and at night would come from it queer noises, which would startle the denizens of the camp, and cause the wool of the sable cook to straighten upon the top of his head. It had the weird charm of being haunted, and was a valued asset of Captain Seymour in the entertainment of his guests, and was a spicy *pousse-café* after a beer-spiritized dinner of choice fellows. The legend, founded substantially on fact, was that a former occupant, an eccentric character, a recluse, shunning social intercourse, had left the county for a few weeks and returned with a comely bride, with whom he lived a few years in apparent happiness, softening and becoming more friendly with his fellows, when one day the neighborhood was startled by seeing a hearse, followed by a single bare-headed, haggard-looking mourner, creep down the cañon and along miles of dusty road to the grave-yard, and then it became known that the recluse's wife had become the bride of death. The coroner was not in those days an inquisitive man and no one ever learned what took her life. From that day no word or friendly look could be conjured from the stone-faced man, and one year later, his body with his throat cut, and a bloody hunting knife beside it, was found in the doorway of the house he now haunts. There were all the indications of foul play. Yet no one could tell or ever discovered whether he died by his own or another's hand.

It was a bewitching night at the Captain's camp. The moon's rays broken and parceled by the swaying tree branches, whose festoons of gray moss it had transformed to silver pendants, lighting the grove with soft brilliancy, wrought upon the ground a carpet of moving figures, ever

changing in design. A gleam of silver in the distance marked the ocean's border, while the tempered breeze bore to the spot the breakers' mournful refrain, a measured accompaniment to the music of the stream and the symphony of the rustling leaves and voices of frogs and insects, punctuated by the far-away barking of coyotes. Stealing out of and rising above nature's orchestra, a melody from a human voice, a plaintive tenor, floated upon the air, followed by a merry chorus from a quartette of males. The Captain had some jovial friends, eccentric geniuses and good fellows to spend a night with him in the wildwoods. A large, splendidly built Englishman, some forty years of age, with muscles of steel and disposition of a gentle child, sat upon a fallen limb, his hands running lightly over the guitar strings, and his was the sweet tenor voice that echoed through the cañon's recesses. He had lived for years in Chili, and had learned many love ditties and battle songs there, and the art to embellish them with the music that strings the human voice with golden chords, which he offset with familiar English, Scotch and Irish ballads, dear to the heart. He had found in St. Agnes a wife, and father-in-law with a rancho, of which this cañon was part, and the haunted house was once a portion of the old ranch house. Dr. Barton, the name of our singer, had been educated as a pharmacist, receiving his diploma in Chili, where none can practise pharmacy until thoroughly instructed in every branch of the science, and had in St. Agnes evolved into a country doctor, hence his soubriquet. With commendable enterprise, he had acquired the rancho not long after his acquisition of the daughter. The doctor was a dabbler in spiritism, and told of many curious revelations knocked out of rapping tables, and whispered by mysterious mediums. He subsequently brought the first planchette to St. Agnes, and he was the easily duped subject of a little coterie of spirit-mongers who had come about this time from abandoned mining camps to this, one would think, uncongenial community and clime. The Doctor's belief, however, was childlike and sincere, and nothing could convince him that trickery or humbug ever entered the spirit circle. I have no doubt that he believed that the invisible beings of the Great Beyond lurked in his guitar and guided his fingers up and down its frets and across its strings and

produced and bore aloft the melody of his voice. All mediumistic power, however, had so far failed him in his endeavors to bring back to earth the spirit of Julius Latern, the murdered recluse, to hear from his own lips whether he was the victim of his own or another's homicidal hand, and he had about concluded that this restless spirit had stayed around the ranch house and had never gotten into the company of progressive ghosts that were in telegraphic communication with this world.

On a moss-covered limb, dreamy and silent, except when he joined in the harmonies of the chorus, Herman reclined. The Captain in a negligée jacket, with no covering for his head than a dense mat of black hair, puffing gently a Spanish cigaritto, between songs, at intervals in the conversation, quoted in heroic tones fragments of sonnets and classical plays, mimicking popular writers and actors.

In the circle, beyond the Captain, now concealed, now disclosed, like the Island of Manhattan when the British fleet was sighted by the Knickerbockers, in a great column of tobacco smoke that ascended from a huge meerschaum pipe, reminding one of the pictures of genii escaping from the caskets of Solomon, was the robust form of John Stuart, a pure-blooded, burly, blonde Briton, who had, outside a clerical and scientific education, been specially trained in the manly art of self-defense, according to Marquis of Queenbury rules, in the sporting element of Liverpool. Although he was always willing to put on the gloves with a lover of his art, or, to use one of his own expressions, "to polish the mug" of any enemy "so that his most intimate acquaintance would fail to recognize him," he was the most timid of men outside the environment of the ring, and in his imagination peopled the country, *terra incognita* to him, he having always dwelt in the "sweet security of streets," with terror-striking beasts and savage monsters. When invited to the Captain's camp, he inquired of him with a tremor in his rich baritone voice, if there were many lions and tigers in the neighborhood, and on this particular occasion, you could see him shiver in the clouds of smoke about him, when a coyote would give an unusually vicious yelp. Although his muscles were hardened against human fists, the ordinary knocks and discomforts encountered away from city thoroughfares were to

him grievous hardships. Captain Seymour had conducted him to camp over a road larded with chuck-holes in his thoroughbrace wagon, drawn by a pair of mustangs that never slowed down, and kept in the middle of the road, regardless of pits and ruts. After a series of grunts and groans and sundry uniquely profane exclamations from the back seat where Mr. Stuart rolled and bounced and thumped and bumped, he cried, "My heaven, Captain, who invented this barbarous instrument of torture?" Mr. Stuart could, however, be the most patient of men, and in the duck-hunting season, sit the day long behind a blind in a swamp near St. Agnes, over which hung a perpetual cloud of smoke, like the crown above a volcano peak, which was called by the hunters, "John Stuart's smoke-stack."

This young man, he was not over twenty-five, was always looked up for a merry reunion or frolic, where grotesque humor, eccentric wit and old-time ballads sung with melody and spirit, were factors in the entertainment's success. He was the only and erring son of a wealthy and pious Scotch Presbyterian banker of Liverpool and was exiled to and pensioned in this remote spot in Southern California, separated by an ocean and continent from the temptations of the wild city of his birth and rearing and his dissipated associates. His remittance, a limited one, came in monthly instalments, with Scotch regularity, accompaniment by a fat packet of pious tracts, and as regularly John Stuart would present himself at Wells-Fargo's office to receive them. He would pocket the remittance, and turning to the bystanders, would distribute the tracts among them, saying, "Read, ponder, reflect and digest inwardly, while I go and spend in riotous living the coin which accompanied these notes of warning, and profit by my profane and blasphemous example."

The remaining figure in the group was Herr Lasalle, a tall, raw-boned German, with long hair, pointed beard, thin parchment cheeks and a voice the echo of the bass viol, which instrument he played in the orchestra; about the quaintest, most grotesque and eccentric genius Herman had met since his advent to St. Agnes. He had spent a number of years in the mines, he and George Hearst, for whom he had an affectionate regard, they having worked together in the field where Hearst made the strike the foundation of his great

wealth, and he, Lasalle, had scraped together sufficient to buy a small tract of land in the foothills, some miles from St. Agnes, not unlike in character and location his boyhood home near Cologne, with soil part deep enough for an orchard and part poor enough for a vineyard, with a stretch of pasture for a few thoroughbred horses and cows, and leaving a moderate sum to speculate with and loan out at the usurious rate of interest then prevailing, which ranged from one and one-half to two and one-half per cent. per month. Born a Catholic, he had in his frontier life, drifted away from the church, in fact from all religion, and dwelt in spirit with the wild, wayward, mystic and mysterious denizens of another world which people the literature and music of his native land. He reminded Herman of Samuel in The Freischutz, and received from him in familiar intercourse the name. He humored and led Dr. Barton on in his travels in spirit land and it was hard for his friends to make out whether he was in earnest or was gratifying his love of practical joking; whether he was really dealing with it as a science, a belief, or inspired attribute of his being, or as a diverting farce; since he would drop from a learned and exalted dissertation upon occultism and the communion between the inhabitants of the visible world and those of the invisible, into laughable illustrations of the absurd practical workings of the belief and its demonstrations. He scorned the ordinary appliances of mediums, and claimed to be able when in proper condition to invoke the spirits of the departed by mental effort and to trace with his finger and interpret and repeat their utterances.

Captain Seymour had, preparatory to this evening's reunion, interviewed Herr Lasalle, and with him prepared a seance. He instructed him in the details of the haunted house and the mysterious homicide and the deep interest Dr. Barton had in unraveling the secret Julius had taken with him to the grave. No outline was needed of the method of procedure, for whether or not Herr Lasalle possessed occult powers, his impressibility and ready response to word or glance and ability to catch another's intent and thought made him an actor who needed no score or prompter.

"A very sweet ballad, Doctor," said Herman, "and feelingly sung. I envy you your minstrelsy. Had I your gift,

I would feel little shyness with the fair sex, and might possibly win the heart of some handsome señorita."

"Huh," ejaculated Mr. Lasalle, "I'll back my voice, without the aid of my bass-viol, and my hypnotic influence against the Doctor's guitar and maidenlike strains, when it comes to making conquests among the native women. They would take me in preference, as they would a tamale rather than a caromel."

"I can understand how you would frighten them into submission, Herr Lasalle," growled Mr. Stuart out of his smoke bank, at the same time caressing first one and then the other bicep, a constant habit with him. "If I had as an accompaniment to my muscles, your impressive face and figure and your stentorian voice, there would be no wasting time with the girls, I would buy a seat in the stock-board."

"Well," said the Captain, "I find that a fellow need not be a minstrel, like the Doctor, or an astrologer, like Herr Lasalle, to make headway with the señoritas. If he is a rollicking, dashing fellow, a fearless rider, a good-liver and generous entertainer, with a warm heart and a touch of sentiment, he need have no fears. I, myself, without our friend's accomplishments, have had no difficulty in winning, here and there, the tender regards of a comely Spanish maid. I am somewhat in ill odor with them just now, for looking at one or two of them through my surveying instrument, which they have been informed, turns objects upside down. I had bad luck too in the last drawing for compadres and commadres, and I know it was a mischievous trick of a minx who thought I was coquetting with her. You know, or will know, Thomas, that each damsel must have a gallant for the year, who must escort her to all functions, be her squire and her champion, and this male chaperon, we might call him, is chosen by lot each new year, and the lottery is conducted the same way women play cards, without reliance upon chance. They have tied me this year to an angular female, a head taller than myself,— which is really lucky, for she is fond of garlic,— of a ripe-olive complexion, about a decade my senior and who insists upon my being a love-maker as well as a convenience."

"These boys, Mr. Thomas," remarked the Doctor, beaming through his glasses upon Herman, "including old Bass-

viol there, have little to think about beside mirth and music and love-making, while you have your aspirations to gratify and we both our fortunes to build, by hard and serious work. Have you laid any plans of conquest outside the routine of your law practice?"

"No, not yet," said Herman, "I have hardly well started as a lawyer."

"Happy query, Doctor," exclaimed the Captain, "we must launch our friend on the way to political and professional distinction; we'll make him our next District Attorney."

"If you really wish to elect him to this or any office," said Herr Lasalle, "you had better keep it a secret within the walls of this cañon till the day before the Convention. We old miners are all more or less politicians, and I have graduated in Nevada, the pocket borough of San Francisco, and believe I know men and their motives and their methods, and I have been here long enough to have sized up the situation in St. Agnes. In the first place, Thomas must earn his living, and consequently, being a newcomer, he should tread upon nobody's toes and make no enemies until his ability and honesty is recognized and he is pretty surely planted. Again, in running for the nomination for that position, especially against the Missourian now in office, he will have to fight a gang who resort to any method of warfare, however unfair, and contemptible, and who never lose a trick. So you don't want to put them on their guard or post them till the last minute. But, Thomas, if you want the office, I'll help you, because I like you, and because you have had a training in that garden of learning and literature and metaphysics, the Fatherland, and what this old Dutchman will do for you will count."

"Well," said John Stuart, with more animation than he had yet shown, with a tight squeeze of his biceps, "I will punish the Missourian and any chicken of the gang that shakes his comb at me, so that his physiognomy will be obliterated. But, Captain, it strikes me, the first thing to do is drink the candidate's health. Let's give him a good send-off," and Stuart gave a side glance at the empty growler, the last of whose contents he himself had disposed of.

"Well said, John Stuart," replied the Captain, "and we will take your advice, if you will replenish the jug; you are familiar with the fountain from which it is filled."

"Yes, Captain, ahem! by the way, are there any California lions in this neighborhood?"

"No, John Stuart, nothing more deadly than fleas and skunks. If there were any intruders of the wild beast kind, my good dogs would soon let you know."

John Stuart made a safe and rapid trip to the Gambrinus Grotto and back, and Herman's health was drunk in a foaming bumper of St. Agnes' not too overpowering brew; after which Herr Lasalle cried, "To bed, brethren," and the symposium ended and each betook himself to his cot in the sleeping tent.

Herr Lasalle was given a resting place in the front, next to the entrance, this to enable him to rest as was his custom, his head wrapped in a blanket and his bared lower extremities exposed to the breezes and the dew of the night outside his sleeping apartment. Across the way from him on the other side of the entrance was Dr. Barton, who, as the Captain knew, suffered from insomnia, and was wont to arise during the night and try to walk off his wakefulness.

When the last had retired, during that luxurious interval between the grateful contact with the sheets and the arrival of Morpheus, when conversation is sweetly confidential and sympathetic, Captain Seymour asked Herman if he believed in what is termed spiritualism.

"No," replied Herman, "it would be impossible for me to be convinced that the spirits of the departed could be juggled back to this world, especially through the instruments and instrumentalities resorted to in the pretended accomplishment of this unnatural feat. I have never yet witnessed any spirit demonstrations or manifestations that were not capable of being produced by an expert in legerdemain, without the aid of spirits or mediums. Besides, I regard the so-called religion or science as an incident of paganism, it having been always associated with pagan rites and orgies. You will find that its chronic disciples are people who cannot feel or comprehend the sacred in life, the holiness that makes the perfect union between human creatures and unites the soul of man with the divine source of

inspiration, and which quickens and broadens the mind and elevates the intellect to interpret the principles and understand the propelling potencies of human life, in the depth and breadth of its existence. Their gospel is the ministry of the senses, and being severed from the divine economy of spiritual life, and requiring some sort of influence from the unknown land of mystery with which to scent and flavor their sensualism, they identify and commune with, in the spirit land, individuals with the attributes of men as they walked on earth with their senses and passions, without power to comprehend such a thing as a soul's existence, freed from the influence of matter."

"You are very hard upon these people, the most of whom are sincere in their belief, and many of whom are reputable and charitable members of the community," answered Dr. Barton.

"This may be," said Herman, "but can you tell me any valuable information or useful knowledge or direction ever given by a spirit conjured through a medium?"

"Your views, Thomas," broke in Herr Lasalle, "are to an extent those of an amateur who has not cared to investigate and study the relation between the living and the dead and the wonderful phenomena connected with their intercourse. You pay attention to the spiritualistic paraphernalia and machinery and masquerading, all of which is repellent to the reason and disgusts the man who treats with principles and essences. The practice of divination and spirit raising has in it more quacks and charlatans than any other trade or profession and the most of the antics of so-called spirits with their mediums, cabinet performances, table knocking, etc., are pure clap-trap. But, there is a communion here on earth with the spirits of those gone from this life; there is an influence, expressed in comprehensible though soundless language, and a power coming from the spirits of human beings once with us, made manifest in manner as are the whispers of Providence to the creatures He guides and protects, which have been felt by every sympathetic soul. The most of people cannot make real and find language to express these conscious visitations. Some, however, can, and I am of that number. I can at times, under peculiar conditions, give the communications that are

bestowed upon me in concrete form, and repeat them in words." Here Herr Lasalle paused a few moments, during which there was a dead silence. Finally he continued in low, deep, solemn tones, " I feel the influence controlling me now; there is someone from the other world desiring to speak through me."

" Is that so, Lasalle," exclaimed the Doctor, turning upon his side toward Lasalle, and putting his hand back of his ear as a sounding board, so as not to miss a syllable.

Herr Lasalle, after a short interval, went on in the same impressive tone: " Someone eagerly asks to speak to the present owner of the rancho upon which this camp is located."

" Gracious me," exclaimed the Doctor, rising upon one elbow, " that is myself. Who is he, and what does he want? "

" He says his name is Julius Latern, who once lived and met death in the old ranch-house nearby."

" Heavens above! is that so? " cried the Doctor, sitting bolt upright in bed and mopping his head with a silk handkerchief, " ask him what killed him."

" He says, and says in an irritated tone of voice, that he will not declare the secret until it is his privilege to leave the house of his misery on earth and join the band of the free spirits in heaven, and he never will gain his freedom, until you give up sending old, wrinkled and impudent female mediums after him, who keep him all the time in a swearing humor and prevent his having the equanimity of temper necessary to gain him entrance to the higher sphere. That this is what, through the leniency of his trusty, he has voluntarily appeared to tell you."

" How terrible," exclaimed the Doctor, and jumping from his bed, he rushed out into the open air. As he stepped from the tent, he suddenly caught sight of Herr Lasalle's naked legs, and leaping backwards, he cried, " My God, the corpse! " when tripping over the tent cord, he plunged rear-foremost into a tub of water the cook had deposited for the morning ablutions.

The cots of Captain Seymour and John Stuart and Herman, trembled as in an earthquake shock, and partly smothered convulsions of emotion arose from them. Herr

Lasalle completely enveloped his head with the blanket and soon the end of the tent shook with powerful, if muffled, demonstrations of profound slumber.

Just before dawn, the Captain awoke with a consuming thirst, and stepping from his bed, he stole out and stealthily made his way to the Gambrinus Grotto. Stretching out his hand to the spigot, he was almost as much startled as was the Doctor the evening before, as he touched another hand clasping it. He instinctively said, "Is that you, John Stuart?"

"Is that you, Captain, your good health?" was the reply.

"Drink hearty," said the Captain, and thus closed the incidents of the night.

## CHAPTER X

### SEÑORA VALENZUELA, CARMELITA AND PANCHO

HERMAN sat in his office alone, in a deep study, looking out upon the sleepy street, with its odd mixture of venerable tile-roofed adobes and modern wooden buildings, of ugly shape. He was speculating upon his coming career, wondering what the future had in store for him in this new and yet unfamiliar field of labor. His thoughts went back to when, as a boy just maturing into manhood, he sat under the old chestnut tree at the school in Switzerland and dreamed of his life as a man, and the greatness he would achieve. And then they flew to the present, and the street, in the glare of the afternoon's sun, looked still more dreary and the structures that faced it more forlorn, as he realized how few opportunities for distinction there were; and such a long, weary road to plod along to eminence, away from the City, down in the most easy going of the Cow Counties. Then he recalled the conversation at Captain Seymour's camp and the Doctor's suggestion that he enter the political arena as a candidate for the office of District Attorney. At first he repelled the idea as meaning a foolish struggle for what he had small hope of winning, and which, if won, would bring him little honor and less profit. But the longer he pondered, the more feasible and less distasteful became the project, and finally he was convinced that to try for this position might be the starting on a public career which would lead him on to brilliant success. He had just reached this conclusion when his revery was broken by a knock at the door. In response to Herman's invitation to come in, a tall, fine-looking native Californian entered. He could not have been much over twenty-one years of age, with a happy, frank, ingenuous face and gentlemanly address. Probably this young fellow had never been outside Southern California, and his education was acquired mostly from the

Franciscan friars; but he greeted Herman with as much ease and grace of manner as if he had been bred in a refined city social circle.

"Mr. Thomas," he said as he bowed and shook hands, "I am Francisco, or as my friends all call me, Pancho Rodriguez. Old Col. Morgan, Dr. Barton and Captain Seymour, all recommend you very highly as an attorney. They all say you are a good lawyer and honest and kind-hearted, and I think you would be just the one to get for a poor old Spanish woman, the mother of a young lady who is my friend, an interest in a large rancho some cold-blooded Americans and her own uncle are trying to rob her of."

"It was kind of them to speak so nicely of me," said Herman, "and I hope that I have enough legal ability. I know that I have all the required patience and industry, to help your friend in recovering what belongs to her."

"She has no money, Mr. Thomas, but is willing to give you a good share of the property, if you win. She and her daughter and I can manage, ourselves and through good, charitable friends, to get together enough for the expenses."

"This is perfectly satisfactory to me," said Herman, "and I am at your service whenever you furnish me the facts."

"Well, if you can come with me now, I will introduce you to the ladies, Señora Valenzuela and her daughter Carmelita, and you can learn all that any of us know, and you can then see if the Señora has any chance."

Herman expressed his readiness to go at once, and Pancho conducted him to the home of the mother of his very dear friend Carmelita.

The husband of Señora Valenzuela, like many of the native Californian landed gentry, had, besides his ranch-house, a lot in the pueblo, or what we might call the county town, on which was a comfortable adobe house. Generally these lots had a pepper tree or two to shade the doorways, and, may be, a few straggling plants, such as St. Joseph's rod, growing side by side with some chili-colorado; but the Señora's home displayed neatness, taste and attractiveness in marked contrast to the bareness and unkemptness of the others. There was a picturesque little fence, kept spotlessly white, a well with an old-fashioned windlass and bucket, a

rose trailing over the porch, a walk bordered by shells from the beach, some flower beds, with brilliant California poppies, pansies and violets, gillie-flowers, forget-me-nots and wild roses, the seeds and plants for which could have come from no other garden than that of Col. Morgan. On one side the veranda, which ran the length of the front, hung a large olla, and on the other, was suspended a willow home-made cage from which a young mocking-bird was pouring forth a torrent of song, as Herman and Pancho entered the yard.

They were met at the door by a girl of about seventeen, strikingly pretty, as Herman thought, of pure Mexican type, rounded features, full red lips, free from coarseness, large black eyes, a complexion of clear olive, often mantled by a deep red flush, a magnificent mass of jet-black hair, in waves above the forehead, and plaited into braids whose red-ribboned bows swayed away below her waist. Not tall, nor yet undersized; not plump, neither too thin, there was, with a natural grace and ease of movement, a blending and harmony of charms which made of this native girl a beauty.

"Pancho," thought Herman, "has certainly good taste in the selection of his lady friends, he could not be long a friend, without becoming a lover."

"Mr. Thomas," said Pancho, "this is Señorita Carmelita, the friend of whom I spoke."

Carmelita, blushing, put out her hand to Herman and said, "*Buenas tardes, Señor.*"

"No, *mi* Carmelita, you must speak in English to Mr. Thomas, he has not been long enough among the *mujeres del pais* to understand even such witches as you, in Spanish."

"Well, Mr. Thomas," Carmelita said, with a soft, lisping little accent, "I will do my best, and I hope that you will not be cruel, like that bad boy Pancho, who is always making fun of me and playing jokes even on poor, old Mamma. Come in and I will introduce you to my mother, who does not understand a word of English, and to Father Aloysius, who is a fine interpreter."

Carmelita ushered Herman and Pancho into a long uncarpeted room, with a door at either end, evidently leading into sleeping apartments, and one in the center, which connected it with the culinary and work department. There was little

furniture, a large oak table, a couple of wooden benches against the wall, a few chairs, some highly colored prints of saints, a crucifix and statue of the Blessed Virgin, with holy water font. On one of the two deep window seats, deep as the thick adobe wall, lay a violin and a guitar. At one end of the table, in an arm chair, sat Señora Valenzuela, a crippled old lady, in a black dress, with a black lace cape about her shoulders, and what looked to Herman like a black skull-cap on her thick grey hair. In her lap was some lace drawn-work which she had for the moment laid down, while the guests were present. Close by, on one of the wooden benches, sat a Franciscan friar, wearing a habit of gray, then the prescribed color of the order. He arose as Carmelita and the young man entered, and bowed a greeting.

"Mamma," said Carmelita, in Spanish in presenting Herman, "this is the gentleman, the lawyer of whom our friends spoke so highly. Pancho tells me that he would gladly aid us in getting back our property."

The Señora bade him welcome and expressed her pleasure in meeting him, in a few softly spoken words, interpreted by Carmelita, and then asked the priest, whom she introduced as Father Aloysius, to tell Herman the facts concerning her property interests and the rights she claimed, as he knew all the circumstances and could, better than anyone, explain them. Herman, coming into the subdued light of the room from the glare of the sun, had not particularly noticed the priest; but his attention having thus been directed to him, he was impressed with his striking appearance. His religious name was remarkably appropriate to his personality; for his face breathed the spirituality which exalted the countenance of this youthful saint. He was above the medium height, slender and easy and graceful, but refined and intellectual, and his mobile lips and wonderful eyes which seemed capable of displaying every emotion of the heart, with a fire, hidden during most of the time, but flashing out like a bolt from the sky, when aroused to strike or defend in what he felt a righteous cause, gave it wonderful expression and power. Herman felt that he was in the presence of no ordinary character, and with the prophetic instinct which is born in sensitive souls, the

thought came to him that this quiet Franciscan, at some time, and in some way, was to have an influence upon his life.

Father Aloysius in perfect English, made musical by a slight accent which disclosed his Spanish birth, detailed to Herman in clear, comprehensive and simple language the facts of the Señora's case.

The father of Señora Valenzuela, Don José Castaños, was one of three brothers to whose deceased father the Mexican Government had granted the rancho El Roblar Viejo, a tract of land whose natural boundaries embraced about twenty leagues or nearly eighty thousand acres, but which the Commission to settle Land Claims in California had cut down to about forty thousand acres, and the United States Courts had confirmed the grant for this quantity. The Surveyor General, under the direction of the deceased grantee's sons and their shrewd attorneys, had caused to be surveyed and located the tract confirmed in an irregular shape, taking in all the best land and, at the same time, controlling the cañons and water sources and mountain slopes adjacent, which the grantee's cattle had the advantage of, at the government's expense. Ten thousand acres of the rancho, set off advantageously, went to the attorneys who had attended to the confirmation of the grant before the Land Commission and courts. These lawyers were not prompted in their labors by any feeling of philanthropy or charitable wish to preserve to the old California settlers the beneficiaries of the Mexican Government, a portion of their possessions, but, on the contrary, grew to feel that having acquired, as reward of their skill, a portion of the patrimony, they were justified in absorbing it all by purchase at a figure far below its worth, through advantage taken of the ignorance of American business tactics, weakness and necessities of the owners.

One of the three Castaños brothers, Pedro, was a pliant subject and unscrupulous tool in the hands of the lawyers, who were his selection in the procurement of the confirmation of the grant. He did nothing on the rancho, except officiate at the *rodeos,* and then only to eat the barbecued beef and drink the native wine and *aguardiente,* and bet upon a mustang race or cock fight and fleece, at cards, the rancheros and vaqueros in attendance. In town, most of

his time was spent at the monte table. It was said of him that he knew more of the bandit Joaquin Murieta and his haunts and lines of travel than was exactly compatible with the employment and diversions of an honest land-owner. He and General Peters, *par nobile fratrum*, were intimates, and many a game of cards they took part in as confederates, and had established a more perfect signal code of its kind than any constructed for use of the government secret service.

The other brother, Antonio, lived a great part of the time upon the rancho, taking charge when his brother José was absent. He was of weak character and easily influenced, especially by his brother Pedro, whom he regarded as a very bright man, and if there were any papers to be signed or affidavits to be made in matters concerning the title of the rancho, Antonio was ready, at Pedro's bid, to do the signing and swearing. José, who knew only too well the character and peculiar ways of his brother Pedro, constantly warned Antonio against blindly obeying his wishes, and predicted trouble. After the confirmation of the grant and the setting apart of the tract to the lawyers, and more than five years before Herman appeared upon the scene, the lawyers with their friends formed a corporation for the acquiring, owning and selling of real property, entitled El Roblar Viejo Land Company, and conveyed their portion of El Roblar Viejo to the Company. Immediately afterwards, the records showed a deed to the Company executed by Pedro and Antonio, reciting that they, Pedro and Antonio, were the owners of the rancho El Roblar Viejo, excepting the portion partitioned to the lawyers, and purporting to convey the entire rancho, except the lawyers' tract, and the live stock upon it. The conveyance was made during the illness of Don José, which ended soon afterwards in his death. The character and form of this deed made by Pedro and Antonio attracted no attention until Señora Valenzuela had been appointed by the Court executrix of Don José's will, to whom he had left all his property, and she sought an accounting of her share of the profits of the rancho and the segregation of the proportion of the cattle that had belonged to her father. Then, to the surprise and consternation of Señora Valenzuela and her friends, her

right to any part of the land or cattle was denied by the Company, who claimed to be the owners of the rancho and everything on it. She then remembered that, not long before her father's death, he had been visited by Pedro, who was one of the directors of the El Roblar Viejo Company, and General Peters and a young man who was recognised by Father Aloysius, he being present at the time, as a clerk in the office of the lawyers of the grant owners, and who said that he was the secretary of the Company. They wished to see Don José alone, but he told his daughter and Father Aloysius to remain, that he was willing that all matters, however private, be known by them. Pedro then made the offer, on behalf of the Company, to purchase Don José's interest in the rancho and cattle, and pay him handsomely for the same in the stock of the Company. Don José briefly declined the offer, saying, "I am too old and too ill to invest in something I know nothing about. Your stock companies are strange things to me. I will keep my land and my cattle. *Adios, Señores.*" This ended the interview.

After demand had been made upon the Company by the executrix for an accounting, what purported to be a deed to the Company by José Castaños of his interest in the rancho and the cattle was placed of record. This deed bore date some days prior to the date of the visit of Pedro, Peters and the secretary of the Company. to Don José, as Father Aloysius could testify, he having carefully noted in his diary this occurrence, feeling that it might some day be of importance. This deed was examined by the attorney of José's estate, and he reported to Señora Valenzuela that it had all the appearance of genuineness. Comparing the signature with other signatures appearing upon papers signed by Don José, it seemed to be identical with the others. The instrument was witnessed by Pedro Castaños and General Peters, and acknowledged by Pedro as witness, after Don José's death.

The attorney of the estate, Galindo, was a Mexican, of liberal education, who had picked up considerable of the technique of California law, and as it appeared later, was a dishonest trickster. He had left St. Agnes before Herman's arrival. After his departure a list of delinquent

stockholders of the El Roblar Viejo Company was published, and his name appeared as one of the stockholders, holding a large block of stock.

This was a terrible blow to Señora Valenzuela. Her husband had sold his rancho and cattle and lost nearly all the proceeds in foolish investments, and died leaving his pueblo lot and one or two thousand dollars to his widow, the extent of her fortune. Delicate in health, her husband's death and the thought of being impoverished, with her little girl to provide for, brought upon her a malignant fever, out of which she came a permanent cripple. The money had all been spent and mother and daughter earned barely enough to support life — like with most native Californians, it required little for food and dress — by the sale of lace, conserved fruits and "dulces," which Carmelita made most skilfully and put up most daintily, flowers, and milk and butter furnished from a fine cow, the gift of their Uncle Antonio, who seemed, poor fellow, to have little himself to live on, since trading his birthright for El Roblar Viejo shares of stock.

In the meanwhile, no attention seemed to be paid to the administration of Don José's estate. Time slipped by while the Señora was ill, and whenever Galindo was urged to do something towards an attempt at an inquisition into the acquiring of Don José's property by the company, he put them off, saying that he was quietly investigating, though with little hope, as shares of stock appeared upon the books of the company to have been issued to Don José at the date the deed bore; until five years had expired since the company had taken full possession of the property.

"You will see, Mr. Thomas, that you have before you no easy task. These lawyers are able, alert and unscrupulous, and they themselves feel now assured that the statute of limitations has run in their favor, and that they are safe from attack. They have now become independent, and are ready to throw overboard Antonio, to whom they have been loaning money, in driblets, on his stock. Only to-day he told me that he had received notice from the Company demanding payment of the loan or it would be forced to sell the pledged stock. They do not dare, at least as yet, to dispose of Pedro in like manner, but they hold his stock, and it only

means the keeping him in a little ready cash during his lifetime. The shares of stock given to Antonio and Pedro really amount to nothing, as the corporation was capitalized at $500,000, and the lawyers' tract was turned over at $300,000, and out of the remaining $200,000 in shares, it is supposed Pedro received $100,000, Antonio $50,000, and the Company claimed that José received the remaining $50,000. The stock of these minority owners you will perceive, can any day be assessed to pay salaries and bogus expenses and sold and bought by the majority owners. Still, if you desire to attempt the Herculean feat, Señora Valenzuela is willing to give you, as compensation, one-fourth of what you recover."

Herman, lost in thought, made no reply for what seemed a long time. Finally he asked if anything had been done towards securing a United States patent for the land.

"Not to our knowledge," said Father Aloysius, "and it has seemed to me remarkable that the lawyers have apparently taken no steps to obtain one."

"I will undertake the case," said Herman, "difficult as it appears to be, and this not without hope of success. But it is all important for the present that absolutely no one outside ourselves know that I have anything to do with the matter, or in fact, that any action of any kind will be taken towards recovering the property. What is first required is additional information and evidence, rather a detective's than a lawyer's work, and everything depends upon secrecy."

"I think that you can depend upon the discretion of us all. Both these young people, Carmelita and Pancho have already shown in this important matter, that they can be silent."

Carmelita and Pancho smiled and nodded knowingly. They were seated together in one of the windows. Carmelita held the guitar and Pancho had picked up the violin, and while Father Aloysius was talking, they had been, as it were, unconsciously, softly striking chords in harmony, and, as Father Aloysius glanced at them, they made, framed with the thick adobe walls, a picture that Murillo would have felt worthy of his brush.

Herman asked if they would not sing some favorite Spanish song; he loved ballads, and wished to become

familiar with those that had come down from the days gone by, when language and music and art in California were those of fair and famed Andalusia.

Naturally and unaffectedly they responded to Herman's request. Pancho played the refrain as a prelude on the violin, sweetly and with feeling, Carmelita accompanying him on the guitar, and then they sang as a duo that exquisite love song, which Herman became very fond of, La Ternura, the words of which, as handed down by tradition (no one had a copy of them in print), are as follows:

"Te ví, te amé, y mi alma entónces,
Con fuego, con amor y con ternura,
Te dijo, yo te adoro, vírgen pura,
Y tu ingrata, despreciaste mi pasion.

Tal vez el cielo te ordena que no me ames
Complace asi su voluntad sagrada,
Mas ruegote, mujer idolatrada,
Mi pecho consuela en su afliccion.

Vive felis, mujer hermosa,
Vive dichosa al contemplar
Que existe un hombre que ti se adora
Que por ti llora, Ay! sin cesar.

Oye, mujer, mi sentimiento,
Oye, el acento de mi cancion;
Oye, que solo pido la muerte,
Si no es mi suerte, su corazon."

Father Aloysius stood, with one hand resting upon the table, looking at the happy young couple, as they played and sang, with sadness and earnestness in his face, and when the song was done, and Herman had thanked them, the Father said, "Good-by, my dear children. May God ever keep in your hearts the purity which is the refining spirit of music and the religion which exalts it to a divine ministry among men."

Father Aloysius and Herman left the house together and strolled along the street out into the highway, an ungraded road, which led to the Mission; Herman pointing out his office as they passed it, inviting the Father to make of it a resting place whenever he came to town. The sun was just sinking and the soft glow which steals over the landscape

CARMELITA AND PANCHO

at this hour had transformed mountain and valley and ocean into a magic blending of subdued colors, and the breeze from the ocean seemed to bear upon it a poetry and peace that touched the heart of each. They conversed as old friends about St. Agnes, its history and its people, their traits of character, their habits and customs, their good qualities and their weaknesses, and their misfortunes. Herman learned much which was afterwards of great use from the Franciscan, whom he soon discovered to be a keen observer and rarely erring judge of human nature. When they parted, it was with the understanding that they should see each other often, at the Mission and in Herman's not seldom lonely office.

## CHAPTER XI

### RUHEPLATZ

It was a morning in Springtime. The night before, a sprinkling of rain as from a watering pot, a flash of mimic lightning, like a celestial fire-fly, for an instant illumining the Western sky, hung with grotesquely shaped drifts of somber clouds, the background of a star-studded canopy of blue; a few rumblings and detonations following long after the flash, mild echoes from the forge of Jove's armory, announced to the inhabitants of St. Agnes that winter's sway had ended and the rainy season was over.

In front of Colonel Morgan's cottage were his two daughters and Capt. Seymour and Herman, mounted on strongly built, spirited half-breed nags, just starting out on a visit to a little vineyard some twelve miles down the coast, where an Austrian of birth and breeding — once wealthy, now with little left from reckless mining-stock gambling, except an olive grove and orange and citron orchard and a vineyard — was glad to furnish entertainment to his friends at a reasonable price, which afforded the additional profit of bringing to their attention the bouquet of a mellow, sweet wine, fruity and with the unimpaired flavor of the grape, made from the product of his vines; carefully selected and picked grapes, let ripen until they were nearly ready for use as raisins; also his luscious pickled olives, large and fat and put up temptingly in old-fashioned jars that looked as if they had come from a Vienna pottery; delicious orange marmalade, conserved citrons and lastly his pure olive oil, in vials holding enough for a bountiful salad, and bearing, on an artistic label, his family crest. His wife, not unlike in looks Maria Theresa, whose shapely hands had never been marred by the rougher household work, was nevertheless a skilled cook, with a wonderful knowledge of herbs and spices and relishes, and had a kitchen garden that threw

into ecstasy mine host of the St. Louis Hotel, when he once called there, having heard, through Herman, of Baron Municheisen's choice delicacies.

Col. Morgan, beaming with fatherly pride and affection, stood at the gate, his broad sombrero lifted in the air, and wished them a joyous time, and the ladies saluted with their whips, and the young men raised their hats, while a little red spaniel capered around, barking at the horses and returning every now and then to kiss his old master's hand.

"Good-by, Papa," said Martha, the elder, "a peaceful day to you, with no chatterboxes of girls to interrupt your reading and pester you in your work in the garden."

"*Adios*, Daddy," called out Anna, "be very good while we are gone, and don't forget to go to lunch, and don't hang your hat on the hydrant while it is running, or use my cutting-out shears to trim roses, or when I come back I will punish you by making you listen an hour to my piano etudes." And with that, she lifted her whip in the air, and crying, "*en avant, mes enfants*," brought it down across her horse's flanks and was off, Capt. Seymour dashing after her and soon at her side, while Martha and Herman followed in a brisk canter.

There never was a lovelier landscape, a brighter or balmier day, a more entrancing labyrinth of byways and hillside paths and mountain trails, and ocean strand, to make fascinating a ride.

On their way out they went along the hillsides. Every few minutes as they rode up and down and wound in and out of slopes and cañons, some vista or broad panorama would come in view, each different from the other, and each lovely as the other. Here a little valley in the lap of oak-studded hill-slopes, with the mountains, rugged and dark, rising abruptly in the background; here the mountains softened and more distant, bordering a billowy plain of golden mustard, stretching to their feet from a semi-circle of picturesque green hillocks; now up to a prominence, from which a glimpse of the ocean was caught through the portals of a ravine, then winding down and across some little wooded cañon, over a sparkling stream, with banks of waving ferns, up to a commanding plateau, carpeted with a wonderful tapestry of variegated wild flowers, with here and there,

like mats carelessly thrown, great patches of California poppies, from which eminence, broke upon the view, exalting in its grandeur and beauty, a great panorama of mountains, valleys, ravines, woods and the ocean and mist-veiled islands beyond. How could Martha and Herman, each animated with the spirit of romance, help loitering and now and then stopping to drink in the exquisite charms of this fairyland. More than once were Anna and the Captain obliged to rest under a tree for the loiterers to catch up; but not with impatience and discontent, for many a merry peal of laughter from Anna's throat, was borne on the breeze, and the witchery of the scene was irresistible to them, though in a far different way, by adding to the joyousness of their light hearts.

Neither Martha nor Herman were very talkative this morning; each seemed a little shy and restrained, and absorbed in their own thoughts, they paid tribute a great part of the time in silence to the beauties about them.

"Mr. Thomas," said Martha, after they had been cantering along for a half mile without exchanging a word, "I used to think that there could be nowhere in the world a lovelier spot than our old Georgia home; but I was mistaken. I love it none the less, but I must confess that St. Agnes is endowed with more wonderful charms. Never have I seen such a grouping in ever-changing tableaux of manifold beauties of land and sea, in an atmosphere so delicious."

"There could not be," replied Herman, "a more beautiful country, and it has in it the spirit of romance to woo the fancy. It has its history and its legends, its monuments and ruins; and the shades of heroes and martyrs and saints and the voices of lovers and warriors and worshipers, from the mists of the past, give it the charm that makes fascinating the pilgrim shrines of the traveler in an old country."

"Is there not too much seductive beauty, too much balminess of clime for hard mental work and great accomplishment?" enquired Martha.

"I feel that it requires a constant goad to action, that labor of brain here is double that required for the same accomplishment in rougher climates, that half the energy is spent in getting the mind up to the working point. But

this is counteracted by the absence of ailments, the health and strength that comes from the outdoor life which the busy as well as the drones enjoy. One is, however, tempted to dream and play more than he should. Just think what moral courage and mighty effort it would have taken for me to forego this delightful ride, and spend the day among dry books and papers, however important the work."

"It is different with our sex," replied Martha. "We can accomplish much more here than where the winters are severe and the summers hot. Household duties are easier, and we have time for happy work among our plants and flowers. Then, away from furnaces and superheated living rooms and suffocating theaters and ball-rooms, always, night and day, breathing pure fresh air, the women like the men have the physical strength for their tasks, and their brains, not being called upon at any and all moments to solve problems commanding their greatest efforts, are readier and more energetic in performing them."

"I fear, however, you will get lonely and may be discontented even with all these beauties about you, away from the gaiety and intellectual pleasures of a brilliant society."

"No, I shall not," Martha said, "I am old-fashioned, and the demands of society were always irksome to me, and they become a great burden to one whose mind and heart have in them ideals which cannot be satisfied by worldly diversions and so-called pleasures. Besides, I am happiest when I can contribute to the enjoyment and comfort of Papa, who is growing old, and is not well, and he is better and brighter here than anywhere else."

"You know," said Herman, "that your father has been very kind to me, and was chiefly instrumental in giving me a standing among the best people of St. Agnes, and has vouched for my honor and integrity. I can hardly understand why he should have taken such an interest in me, a stranger without credentials from any source familiar to him."

"You should feel complimented, Mr. Thomas, for Papa, though of a childlike character, is an excellent judge of human nature. He is anything but eager to make new acquaintances, and he has a great love for his daughters, and a most exalted idea as to who should be their associates

and companions. So, Mr. Thomas, you and Capt. Seymour should feel quite proud of his so readily approving of our escorts to-day. But you know that your old friend Robert McFarland is always sounding your praises, and Papa has the greatest admiration and respect for him."

"Indeed, I am proud and vain, not only that Col. Morgan has me in his good graces, but that his daughter should submit to the companionship of one who cannot but think himself a prosy companion."

"Tra la la, laggards ahoy!" sang Anna, from a clump of moss-fringed oaks ahead, where she and the Captain awaited the stragglers, "what slow-pokes you are. One would think, Martha, you had been taking a law course from Mr. Thomas, which is about as slow a thing as I can imagine."

"I think it isn't that we have not been traveling at a fair pace, but you and the Captain have been on one of the 'flying reconnaissances' he is always talking about. Has he been making of you a mounted chainwoman like the 'agrimensores' of old?"

"Oh, dear, no. He has been quoting poetry in quick measure, and making his horse keep time. He has just been telling me that he will build me a place where 'the perfumed lights from alabaster lamps' would do something. I know that they would make me deathly sick, especially if they were scented with pachule. It is the only thing I can think of that I have against the Latin race. They are so redolent of musky odors when on dress-parade. They turn up their noses at those clean, refreshing, aromatic toilet waters, such as cologne and Florida water and bay-rum."

"You have no sentiment, Miss Anna," said Capt. Seymour, as he viciously threshed his riding-boot with his bridle rein.

"The Captain thinks," remarked Herman, "that you do not respond to the spirit of poetry which leaves details to the imagination of each one. Now, if Pauline, who was carried away with Claude's rhapsodies, was fond of Florida water, she no doubt detected its delicate scent in the perfumed lamps, and they entranced her sense of smell as Claude intended they should."

"Never mind, Captain," said Martha, "my sister is a tease, and is most merciless with those she likes best."

"Oh, pshaw!" said Anna, "what nonsense! we all know that this quotation is one of Capt. Seymour's stock-in-trade, and if we could follow his footsteps through the past, we would no doubt find that every girl of his acquaintance has heard it. Why, you can tell the way he recites it, that he has been practising it for years. Cheer up, Captain, you know that your poetic fervor is all a sham; you have no more sentimentality in you than I have," and bowing low in her saddle to the Captain, to whose eye there came again its accustomed twinkle, she was off, with her gallant close in her wake.

"She is like a sunbeam borne by a breath of fresh air," said Herman.

About noon the little cavalcade wound up from a narrow ravine along a short, steep mountain road into the domains of Baron Municheisen. Herman as he entered Ruheplatz, the name with which the Baron had christened his retreat, was always reminded of some German wayside inn, where pedestrians find noontide rest, shade and appetizing food and drink, though its landscape setting was so very different. You reached from the road a broad plateau, from which a hill sloped upwards to the height of a hundred feet, there seeming to be but a narrow crevice between the curved line of its smooth crest and the dark mountain walls towering to the sky beyond. The hillside was covered with vines, and at the vineyard's foot, on one side was a grove of olives with polished trunks and foliage of blended light and somber green, and on the other, the orange and citron orchards crowned with blossoms made the air heavy with their fragance. The cottage, which looked as if translated from The Tyrol, stood in a grove of live-oaks and sycamores. It was a picturesque edifice of many wings and peaks and gables, eaves and balconies; with climbing roses, fuchsias and honeysuckle, and boxes of plants on the broad window sills, and beds of flowers about it, with a little lawn stretching out under the oaks, and here and there a palm or an acacia. A brook, skirted with willows and alders, ran by the house down into the ravine, and you could hear the measured beating of a

hydraulic ram which forced the water to a rustic reservoir that looked like a great dove-cot between the branches of a huge live-oak. Fed from the reservoir was a little fountain in front of the house, where the water gushed from a lily held aloft by a plump urchin in bronze, of Teutonic type, and fell down over a pile of rocks into a mimic pond where gold fish flashed and on which water lilies floated. Back of the house, beyond the barn and stables, and wine-press,— that were as quaint and picturesque as the cottage — protected from the prevailing wind by a row of tall gum trees, was a field of grain and a stretch of pasture land where were feeding some horses and cows and a few sheep and pigs. At one side of the house, in the open, close to the orange grove, where the air was ladened with its fragrance, was the greatest of the Baron's attractions. A huge grape vine, with a great gnarled and twisted trunk, spread its leaved branches, from which in autumn hung great bunches of purple grapes, over a network of timbers, supported by white wooden columns, forming a pavilion large enough for a country ball, and where many a merry dance had taken place. Around the trunk of the vine was built a narrow table that served as a sideboard on which was displayed a marvelous collection of bottles and glasses and jugs and jars, while several round lunch and dining tables stood about. Within sight of the pavilion, as if so located to tempt the appetite of the Baron's guests, surrounded by a pole fence, artistic in its crude construction, was the famous kitchen garden and berry patches, in which grew not only a choice variety of vegetables, herbs and berries, but fruit trees, of all kinds, which shaded its walks and perfected the Baron's gastronomical resources. Everywhere one looked, the house and its contents, the pavilion, the grounds, the structures and adornments, everything bore the stamp and seemed to breathe the sentiment of the Fatherland.

As our party rode up into the grounds of Ruheplatz, they were met by two handsome young St. Bernard dogs who, dancing in front of the horses, flapping their ears and wagging their tails, barked them a cordial welcome, while two stately peacocks, with gorgeous outspread tails, eying them superciliously, strutted about like stately foot-

**RUHEPLATZ**

men, in front of the house. The entire household, the host and hostess, an elliptical, fat-faced, flaxen-haired German maid, in short skirts, white apron and pointed cap, a plump bright-eyed native boy in blue shirt with long red necktie and peaked Mexican hat, a lazy-looking, well-fed Maltese cat and an inquisitive pet kid, came forth to greet them.

The Baron, a middle-sized, finely proportioned man of thirty-five, with refined features, fair hair and luxuriant blonde beard, ran down the front steps, and received the visitors with a bow and, "Welcome, fair ladies and gallant gentlemen to the modest charms of Ruheplatz! May I hold your steed, Miss Morgan, while Mr. Thomas has the pleasure of assisting you dismount? And now, Miss Anna, I am at your service."

The boy led the horses to the stable, and the oval maid, after ducking an abrupt curtsy, at a gesture from her mistress, disappeared within. Madame la Baronne in a neatly fitting, simple lawn dress, stood on the porch, at the head of the steps, prepared to usher the ladies into the house. Her left hand, in which she held a spray of orange blossoms, rested easily on the newel-post, and her attitude was that of a queen unconscious of her royalty. Martha exclaimed to Herman, as they looked at the picture, "What grace and elegance! There is no doubt that gentle blood will elevate and refine any position and employment, however humble."

The Misses Morgan evidently regarded Madame Municheisen as a friend, rather than a landlady, by the warmth and evident pleasure with which they met her.

While the ladies were in the house and the gentlemen were viewing the Baron's garden and orchards and spring house, the maid appeared with a huge basket on her rotund arm which she bore to the pavilion, and soon had one of the large tables spread with a snowy cloth and set with china, glass, silver and cutlery that reflected the leaves and curling tendrils of the vine-thatched roof in their polished surfaces. Then came the lady of the house with a Bohemian glass bowl and an armful of cut flowers and blossoms which she arranged with rare taste in the bowl, as a center piece. In the meanwhile the oval maid circled

the table, depositing in one corner a wooden platter on which was carved, "Give us this day our daily bread," bearing a snowy loaf; and here and there sundry relishes, olives dressed with oil and a sprinkle of sliced young onion and green chili pepper, tender young radishes, sweet pickled figs, mushroom catsup, and sliced lemon, so dainty looking, in such attractive little dishes and flagons, and a decanter of the highly praised Ruheplatz wine, and a glass pitcher of cold mountain water. No wonder the eyes of the hungry equestrians, as they gathered about the table, were fascinated by the display, and their appetites whetted to keenness. But when they were all seated, including the noble proprietor and his fair wife, whom our friends had insisted on joining the party, and the Baron had finished his grace, pronounced in French, with an abrupt "*ainsi soit-il*," and the oval maid, glowing with exertion and enjoyment, had heaped the board with steaming substantials, all the products of the place, young and tender and delicately seasoned and exhaling an intoxicating incense, a great fat capon, browned and shining as though varnished, and new potatoes and baked little marrow-fat squash, and young roast tomatoes with herb-flavored stuffing, and boiled leeks that would have won a Welshman's heart, the guests were speechless with anticipated pleasure. Indeed, it was a royal feast, there under the green roof, through whose interstices the sunbeams wrought rainbows on glass and silver and danced among the brilliant flowers; the vine-clad hillside, the massive mountains, the orchards and forest trees, the plants and flowers and fountain, the motionless dogs with pleading faces, the gorgeous peacocks and chickens and ducks, a speaking picture before and around them, and the song of the linnets, the splash and gurgle of water, the hum of bees and the call of the quail enchanting their ears.

There was but little conversation until the dessert of luscious strawberries, with rich cream, had been disposed of; they were drinking their *café noir* and sipping the delicious orange cordial.

"My dear Baron," exclaimed Captain Seymour, leaning back in his chair, his coat thrown back, disclosing a wide expanse of white duck waistcoat, "how very fortunate you

are to have escaped the dissipation of that gay city, the Austrian Paris,— where the nobility from every kingdom and the children of wealth and mad followers of joy from all parts of the world keep the wheels of society always turning wildly, and where the senses become satiated and the digestion gives out,— and find a home where mind and body can expand in a glorious climate, among beautiful surroundings, and the appetite so keen, and such a wonderful larder and fine cuisine."

"That is all very well for you men who care more for the bivouac and good living than for the refined enjoyments of the salon," said Anna. "Freedom from social conventionalities is what your sex delights in. But how about Madame Municheisen? Think of what it is to her to be exiled from beautiful Vienna and its brilliant society, its music and its art. Why, I would be homesick just to hear Strauss' orchestra play his divine waltzes."

"Indeed, Miss Anna," said the Madame, "you are mistaken, if you think that we are less happy here than in the gayeties of our old home. Of course, I love it, and think of it and its charms and of the dear friends I have there, and I hope to see it again. But we are contented and more peaceful here. We could never cherish a moment's regret for the great change, as it brought the roses to the cheeks and health and strength to the frame of our dear little girl, for whom we were very anxious. I am sorry she is not here to-day, she is very fond of her good friends, Miss Martha and Miss Anna; but you know I can only have her Saturdays and Sundays, the good Sisters of St. Agnes, are mother and teacher to her the rest of the week."

"Yes, the little witch could lead her willing mother and father anywhere in the world she wished," said the Baron. "She knows it too, though she is not capricious enough to take undue advantage of her power."

"Little Beatrice has quite won my heart," said Martha. "She is a fascinating child, and I love to have her with me, and I wish I could see her oftener. By the way, Baron, we hope some evening soon to have a little musicale at our home, and we count on the presence of you and Madame Municheisen, and Beatrice too, it will do her good. We can arrange for you all to spend the night with

us, without inconvenience. You must bring your violin-cello, for with its plaintive strains, our concert would be sure of giving pleasure."

"We certainly will come, *n'est-ce-pas*, Marie, and we thank you, Miss Morgan, for numbering us country swains among your privileged guests. I am glad you like to hear the voice of my dear cello, whose complaining notes bear away into *die Ferne* all the cares and worries and sadness that must sometimes oppress the heart, and it also has its merry moods and can blithely accompany my Marie's joyous runs and trills when she is in a merry vein."

"My goodness, look there," exclaimed Anna, as she pointed to a clump of trees, "see the grass disappearing into the earth!"

Sure enough, the remarkable phenomenon of grass growing downwards into the ground presented itself. A blade would gradually descend until it had disappeared, and then another would in like manner vanish before the wondering gaze of the young ladies and Herman.

"What can it be?" asked Martha.

"Oh! this is not an uncommon occurrence here," said Capt. Seymour, with a sly glance at Madame Municheisen, "there is a certain species of grass in this country, called the double-ender, that grows at both ends. One end will grow up to a certain height above the ground until it encounters some subterranean obstruction which will give it a start in the other direction, when the other end will start growing, as it does so, pulling the other end down."

"Confound those gophers, they will yet carry off the whole plantation," cried the Baron, as he jumped up and ran to the house, reappearing immediately with a spade and a gopher trap. With a few thrusts of the spade he uncovered the tunnel of the destroyer from which it had been having a more innocent feast than was its wont, on the tender blades of grass, drawing them down into his compartment.

Anna looked disdainfully at Capt. Seymour, saying, "Romancing about facts is a more unpardonable habit than serio-comic use of poetry in small talk."

The ladies then retired to the house, and the gentle-

men remained in the pavilion lazily smoking their pipes, filled from a jar of the Baron's own blending of choice varieties of the weed.

"Baron," said Herman, "have you ever met Mr. Sigismund?"

"Yes, indeed, he comes here often and he certainly furnishes my wife and me no end of entertainment with his jollity and queer drollery, his fund of incidents that must have been from his own life, his character description and mimicry of everyone he has met, his musical attainments, and the mystery that envelopes his antecedents, as well as his present and future purposes. This much we know, that he was with Maximilian, and by marvelous devices and dare-devil pluck escaped from the Mexican soldiery in a small boat sailed by himself."

"Do you think," said Herman, "that he is a bad man, that he has something to conceal of his past career?"

"I cannot tell, and it cannot be read in his face. He is never serious when others are about; he seems to belong more to the nature kingdom than to the human race. And yet I have caught on his features when he was unconscious of being observed, an intense wild look of striving for some object that transformed him to a passionate Faust. When he came here he entered into partnership with a German, who had a small hardware and tin shop, and took hold of the business with the reckless energy that characterizes everything he does, and as you know, he now has an establishment not unworthy of a city ten times the size of St. Agnes."

"The reason I made the enquiry," rejoined Herman, "is that he is one of the greatest puzzles I ever tried to solve. I, however, shall take it for granted that he is a reputable gentleman, as he is such a prince of good fellows."

Just then the Captain and Herman caught in the face of the Baron who was looking towards the road an expression of annoyance, and instinctively turned their eyes to where the Baron was looking. A spring wagon had just come in view, containing four occupants. On the front seat, next the driver, appeared the familiar form of Major Falcon, his hair and whiskers bristling towards the four points

of the compass, and, in the glare of the afternoon sun, flaming like a red calcium light.

On the rear seat was a lady, apparently of about forty-five or fifty, and a young man of twenty-five.

The Baron stepped out to meet them, as they drove up opposite the pavilion. Major Falcon sprang from the carriage, and as he assisted the lady to descend, said, "My dear Baron, your most obedient. Permit me to present you to Mrs. Stanley, a lady of wealth and standing from New York, and her son, Mr. Walter Stanley, not long since graduate from Columbia University. Mrs. Stanley this is Baron Munichеisen, formerly in the suite of Francis Joseph, Emperor of Austria." And with that the Major caught his great moustache between his lips, and with a mighty blast, blew it out in a fiery fringe.

Herman and the Captain saw the cold smile on the lady's face and the half concealed sneer, that seemed habitual, on the lips of the young man, as they bowed to the Baron.

"Now, my dear Baron," continued the Major, "we are very late and cannot expect a hot repast, but I know that you can command the daintiest of cold lunches for our little party. Why, there are my very dear friends, Capt. Seymour and Mr. Thomas: delighted to see you, gentlemen. Let me introduce you to Mrs. Stanley and her son, Walter Stanley." Then catching sight of Madame Munichеisen and the two young ladies, who were ready to remount, coming out of the house, he bowed most profoundly, exclaiming, "Why, how delightful, there are the charming Misses Morgan, the daughters of my most dear old friend, Col. Morgan, and also our worthy hostess, the Baroness."

The Major then introduced, with effusion, Mrs. Stanley and her son to these ladies.

Mrs. Stanley said to the Misses Morgan with a smile, "I am very pleased to meet you, and, as it were, by chance and without formality. I have a letter of introduction to your father which I intended to send to him, but which I have with me here and would be glad if you would hand it to him. I am at the St. Louis Hotel, with my son, and I would be very happy if you would all call on me."

Mrs. Stanley was a tall, graceful and very handsome woman, with regular features, and a face which seemed

to quiver at intervals with smiles, the same kind of smiles Herman had seen engraved on the face of a pretty French soubrette, when acting the part of a marionnette; with silvery hair, here and there a thread of fading auburn, curling and clinging tightly to the temples as if clenching them in a fit of temper, and massed above a low forehead; her eyes gray and cold, but, in anger, as Herman subsequently observed, turning almost green and scintillating with white sparks. A peculiarity of her face made it remarkable, the smiles seemed to work independently of the expression of the eyes, coming and going the same in repose as in anger. She seemed to glide rather than walk, and her manner was soft and gentle and purring, and Herman had the feeling that claws might at any moment dart from her tapering fingers.

Walter Stanley had his mother's eyes and her smile, which came less often to ornament a hard face. The lurking sneer about his mouth was generally hidden behind a luxuriant brown moustache. His voice was refined, but of a metallic tone, and he had all the ease of manner and address of a well-bred man of the world. Familiar with the conventional gambits of society's converse, he was perfectly at home with the ladies, from the time he was introduced. He offered his assistance as the ladies mounted, and Anna was quite taken with the graceful way in which he picked up and handed to her her glove she had dropped.

The horse-back party returned to St. Agnes by the ocean road. As the tide was low, they had a ten miles' ride along the smooth, gently sloping strand; the breakers, with a gentle throb, turning into a swaying border of foam, drawing up to and bathing the outlying rocks of the points that jutted out and marked the long curves that made so beautiful the St. Agnes beach. The ocean, as quiet as a mill pond, was of a dull blue tint, and the pink band of seaweed that divided the shore from the Islands, stood up as though embossed upon the waters. A bank of fog was piled above the island-peaks, and a cool fresh breeze gave life to the air.

Anna and the Captain had forgotten their tilts, although the Captain chafed a little under Anna's praises of Walter Stanley.

Martha and Herman were more talkative than in the morning, discussing the incidents of the day and the people they had met.

"I shall never feel at ease with Mrs. Stanley," said Martha.

"And I could never make a companion of Walter Stanley," replied Herman.

## CHAPTER XII

### THE OLD TRAPPER AND DOMINGO ORTEGA

The law practice of Herman, while it actually occupied not half of his time, was of an interesting character, and was slowly assuming fair proportions. Fees were mostly contingent, but the cash returns were sufficient to enable him to live comfortably, and, compared with what other towns of much larger population afforded, most luxuriously, and to hold his own among his companions. He had many leisure moments in which to play and dream, and his mind, to his worldly disadvantage, kept running away from professional problems and employment into the realms of romance. Indeed, his practice, which took him from place to place, and kept him, much of the time, in the saddle, offered the chance and enticed the thoughts to wander among the creations of the fancy. He seemed, however, never to have energy to engage in any intellectual work, except the odds and ends that circumstances drew from his pen, which all met favor with those who read them. From the friends who were his counselors and had at heart his success he received no encouragement in this devoting of his time and thought to literary pursuits.

The case of Señora Valenzuela interested him greatly, and was frequently in his mind. It had in it the element of romance, and demanded the exercise of wit and shrewdness, skillful tactics, diplomacy and energy. He hardly knew what step to take first. He had examined the records and found that the history of the title given him by Father Aloysius, as it had been presented to him, was not completely accurate in this; there was an additional owner not named by him. By way of compromise with an old major domo of the original grantee of El Roblar Viejo Rancho, named Domingo Ortega, who claimed a gift of an interest in the property, a tract of a thousand acres had been con-

veyed and set off to him. It had little present value and its segregation from the body of the rancho made slight difference to it. He had carefully searched the pigeon-holes of the recorder's office in the hope, that proved vain, of finding the original of the deed which it was claimed Don José had made to the Company.

It was no easy problem how to commence his campaign against these cunning and unscrupulous parties. One day, as he strolled down to the beach, where he was accustomed to walk and think, when he had some problem to solve or some dream to indulge in, his mind strained to the utmost to know how to proceed, he was startled from his revery by someone calling to him, "Helloa, boy, where are you going? Get in and ride." Looking up, he found that Dr. Vanderpool had driven up alongside him in his buggy, which was constructed as nearly like an old-fashioned doctor's gig as the roads and climate admitted. Without hesitation, as if obeying a command, Herman stepped into the comfortable conveyance. The Doctor chirruped to his raw-boned, well-kept steed, at the same time slapping his back with the reins. In fact it was his habit to talk to the beast when not conversing with a companion, and beat upon his long back a continuous tattoo with the reins; he never used the whip, except in case of an emergency.

"Anything new? Going for a walk? You looked down; thought you needed cheering up. Am just going to make a call on a dying man, an old trapper, quite interesting; thought you might like to come along, it will brighten you up, and then we will take a drive to the Monte to see an old native Californian who can't live long."

"I fear, Doctor," laughed Herman, "although you are a loyal orthodox disciple of the old school, that when it comes to mental maladies you believe in the homeopathic doctrine of *similia similibus curantur*. What is the matter with the old trapper?"

"Disease of the kidneys. He only has one, the other an Indian got away with while he was setting a trap. The old man didn't exactly blame him, as he himself had shot a number of his tribe he thought stole his furs. He regarded it as the bite of a wild beast. He treated the race just like coyotes; took a crack at any stray one he

saw; has been a pretty tough customer in his day. He is a mighty good poker player, or was, for he'll never play again. He always plays a square game and so does everybody that plays with him, as he carries in his belt, whatever he is doing, a long army revolver that has a reputation the boys are acquainted with."

The Doctor drew up in front of a gate in a pole fence which surrounded an orange and olive grove, with a sprinkling of fig trees and grape-vines, in the rear of which was a long adobe house, with a corridor, pained white, running its length. Everything had a neat, trig look about it. He got out, anchored his horse with a stout cable to a pepper tree, and told Herman to "Come on, the old man and women will be glad to see you, it's the next thing to a call from the scissors-grinder."

As they walked up the path, there were seated on the porch on old woman in a black dress with a red shawl draped around the upper part of her person so as to make a waist; her long, straight, black hair, with not a thread of gray in it, hanging around her face down over her shoulders; and three young girls, the oldest about twenty and the youngest sixteen, tall handsome brunettes, bearing a striking likeness the one to the other, and each with a gypsy-like expression of face, which was less pronounced than that engraved on the old woman's features, but disclosing the fact that they were her daughters. They arose as the gentlemen drew near.

"*Buenos dios, Señor Doctor,*" said the young ladies. "*Ah, medico mio, como va? Siempre diablo, no?*" the old woman said, holding out her hand and shaking her head.

"Helloa, girls, anything new? Well, old lady, how's your temper to-day? This is my friend, Mr. Thomas, a new *abogado*. Don't look cross, old woman, he hasn't come to St. Agnes to rob the natives, but to marry one of them. How's the old man to-day?"

"He is very weak, Doctor," said the eldest daughter, "and very restless. He has a great fear of dying, that is to say, the physical struggle of dying."

"Come on, boy," said the Doctor, and he walked into the house, followed by Herman, through the living-room, into

the bedroom beyond, his hat on, shaking his glove in his left hand and twisting his beard with the other.

"Helloa, boy, how are you? Anything new?" he said, as he approached the bed where his patient was lying, a rawboned, weather-beaten, sharp-featured old man with white hair straggling out upon the pillow, and keen restless eyes. He had just been shaved, the barber having passed out of the room as they went in, which made his face deathlike.

"Very bad, Doc, I'm no good any more; I guess the game's up with me."

"Humph! ejaculated the Doctor as he shrugged his shoulders, and felt the old man's pulse.

"Pretty weak, Captain, I'll have to brace you up. While I am mixing the drink, you can tell this young man the business you want done. He hasn't been here long enough to be up to the tricks of the old lawyers."

"Infernal thieves," muttered the old man. "I have very little business. The Doctor tells me I'll pretty soon have to pass in my checks, and I want to make my will. You'll find a piece of paper on the table there, and pen and ink and a ten dollar gold piece, I guess that's enough, for the paper will be short enough. My name is Bill Gibbs, my wife's name is Maria, and my daughters, Ysabel, Teresa and Juana. I want the old woman to have half the income of all my property as long as she lives, and my girls the other half, and the whole thing when their mother dies."

While Herman hurriedly drafted the will, which was afterwards signed by the testator and witnessed by the Doctor and Herman, and taken by the former for safe-keeping, the Doctor finished brewing his mixture, and administered a dose to the patient. It seemed presently to give him a little strength and to soothe him somewhat.

"Doc," said he, "I've been in mighty tight places in my lifetime; more than once I've been nearly chewed up with wild animals, and I've looked down the muzzle of a good many ugly guns, and I never felt afraid of death, and I don't know why I should take water now. I suppose it is because it ain't sudden, but comes loafing along, taking its time to it, and at the same time letting you know that

he'll soon have his grip on you. I don't want to go fighting and struggling and strangling for breath into some sort of a camping place I don't know nothing about. It keeps fretting and galling me. What can I do, Doc?"

"Never mind, my boy," said the Doctor, "I'll make it pass off nice and comfortable."

"Doc, just take out that belt under my pillow and get out a twenty. I want you to give that to Chico Cordero's old woman. I hear they have a house full of sick children. I think Chico's dropped that much with me playing poker."

"Good-by, my boy," said the Doctor, "that drink will soon put you to sleep, and I'll be back to see you in a couple of hours. Don't worry, I'll make it pleasant for you." And he and Herman departed, saying good-bye to the ladies as they passed out.

"Humph!" grunted the Doctor, as he glided by a sideways motion into the buggy and Herman stepped in on the other side, "the old coon knows what he's about; that old woman will live ten years longer, and she will hang on to every inch of property till she dies; so the girls and any worthless husband can't blow it in. Now, we will go see my old friend, Domingo Ortega."

"Domingo Ortega!" exclaimed Herman. "Does he own a portion of El Roblar Viejo Rancho?"

"Yes, it is the only part of the rancho that those thieving legal sharps, Barter & Brooks, did not get their claws on, and I am the one that balked them in that, and they don't know it."

Herman said nothing further at the time, but saw ahead of him an opening in the clouds surrounding the Valensuela case.

The Monte is a picturesque wooded valley adjoining St. Agnes on the East, with the mountains on one side and the ocean on the other. As they drove through a grove of oaks, a hawk circled above them and darting down suddenly, seized and carried off a quail.

"A fine fellow is a hawk," exclaimed the Doctor. "He's a much nobler bird than the eagle. He earns his living. He gets up in the morning, and hunts around and captures his little breakfast, and he's entitled to it. The eagle lets someone else do the hard work and get the prey, then

he steals it from him. Give me the hawk all the time."

They stopped at a little board shanty, under a magnificent, wide-spreading live-oak, one of a settlement of poor looking houses, with unkempt surrounding, swarming with half-breed native Californians, men and women and scantily-clothed children.

"*Que ay, Doctor! Que ay, Doctor!*" came from a number of voices, and a little band of urchins surrounded the buggy, and one of the larger ones took out the rope and tied the horse.

"Helloa, *chiquitos, como va?*" said the Doctor, whacking those he could reach over the ears with his glove. Then beckoning to Herman, he walked up a few steep steps to the porch, where sat in an armchair a battered, grizzled old native, with a copper-colored complexion, and a bandana handkerchief wrapped around his head like an old negro's turban.

"Helloa, Domingo, *como esta, que ai de nuevo?*" said the Doctor to the old man.

"*Asi, asi, no mas.* What should I know new, except what these lying *paisanos* tell me, and half of that they make up. And what do I care about new things? I am old enough myself, and if I can keep the old things I have until I die, which you tell me will be in a very little time, it is all I want. Is this young man your friend?"

"Yes, this is my friend, Señor Thomas, a very good lawyer and a friend of the *gente del pais,*"

"I am glad to meet you, Señor Thomas. It is well you brought Mr. Thomas, Doctor, as he can draw up a paper for us. I want to settle that business we talked of. I know, as well as you do, that I will soon be traveling to Padre James' graveyard, and there isn't any temptation to you to hurry up my going, so I want to settle things and give you that deed, and then I can smoke my cigarittos in peace and wait the Lord's will." This the old man said as he deftly rolled and filled a cigaritto, first for the Doctor, then for Herman, and lastly for himself.

"Have you anything to write with, boy?"

"Oh, yes," replied Herman, "in this country a lawyer, like a Doctor, has to carry his tools with him wherever he goes."

While Herman was getting out his gold pen, pocket inkstand and paper, and preparing to write on the rail of the porch what was required, the Doctor inspected Domingo professionally, and filled a mental prescription for him from his medicine wallet. After this was done, and the old man, by his voice, which had lost little of its gruffness, and forcible gestures, had driven away the youngster, he turned to Herman, and said:

"Make a deed from me to Dr. Vanderpool of all my interest in El Roblar Viejo Rancho, upon his agreeing to give my wife fifteen dollars a month as long as she lives, and pay the little taxes there are on our house and lot here."

The document was soon prepared and signed by Domingo, by making his mark, and witnessed by Herman, who, being a notary public, took the acknowledgment, and gave the instrument to the old man. He handed it to Dr. Vanderpool, saying:

"There, *compadre*, you have my rancho, and my *mujer* has enough to keep her for life." He then called out, "Felicidad! Felicidad! come here."

A thin, wrinkled-up little woman came out and shook hands with the Doctor and Herman and then went and stood by the old man, quietly awaiting orders.

"Felicidad, bring me my *titulos*."

She went into the house and returned with a time-stained little packet of papers.

"Señor Abogado," said Domingo, "look among the papers, and you will find the title deed of this house and lot; make another deed of this to Felicidad Ortega, my wife, and bring it to me; the Doctor will drive you out, and I will sign it, and you can then give it to her when I die." Then turning to his wife, with a look of affection, in spite of the stern demeanor he evidently sought to maintain, and softening his features, he said:

"Felicidad, the rancho is now the Doctor's, but he will give you every month, as long as you live, enough to keep you and let you have really more comforts than you have been accustomed to. Everything else that I have is yours," waving his hand around, "the house and ground, the horse and cow and ducks and chickens all belong to you."

Just then a beautifully marked, thoroughbred game-cock

strutted out from the house, followed by two hens, and they stood by the old man's chair, looking at him with heads cocked one side. He gave them a quick glance of pleasure, and fumbling in his pocket, produced a piece of dry tortillo, which he crumbled in his hand and held out to them, and they ate it without a sign of trepidation.

"No, not everything, Felicidad," he continued, "the Doctor must have my game chickens. You will take good care of them, Doctor, and never let the breed run out. You have always staked your money on them, and you know how seldom you lost. I know that you won't give any away to old *gachupinos* who are always trying to get hold of them, or any of these gringos, that try to be *paisanos*. You remember how you taught me to brand them with a fine shot in the left leg, so that you could always tell by feeling the cock we were fighting against, whether he was one of my breed which had been stolen. I'll be glad to think that when I go, these, my friends, will fare well, who have helped us live when the years were dry, and, except for whom, there would have been no flour or beans or tobacco in the house, and no money to buy them with. *Hasta lluego, mi amigo Doctor; hasta lluego Señor Abogado,*" and the old man sank back in his chair, looking very sad and weak and tired."

Herman was quite touched with what took place, and it saddened his thoughts. He contrasted the two sick-bed scenes, so different, yet in each appearing the refining spirit of approaching death, softening the rough nature to child-like gentleness.

DOMINGO ORTEGA AND HIS PETS

## CHAPTER XIII

### DOCTOR VANDERPOOL AND HIS POISONS

FROM what Herman had seen of Dr. Vanderpool, he had come to the conclusion that he was a very discreet and close-mouthed man, and that he would keep inviolate any confidence reposed in him. So far as the practice of his profession was concerned, he was one of those old-fashioned physicians, so different from many of our modern practitioners, who regarded the information he necessarily obtained in the treatment of a patient as sacred as the disclosures made to a priest in the confessional. The same discretion marked his business and social life. Herman therefore felt that he could take him into his confidence in the Valenzuela case, especially as he had so outspokenly denounced the lawyers who had evidently perpetrated a swindle upon José and Antonio Castaños. Besides, his having himself become an owner in El Roblar Viejo Rancho, with his consent, he could act directly for him, thus disarming suspicion as to his being the attorney for Señora Valenzuela. Herman, therefore, determined to broach the matter to him upon the first opportunity. This occurred a few days afterwards when the Doctor offered to drive him to El Monte, to procure the signature of Don Domingo to the deed to his wife. As they drove along, Herman told the Doctor that he intended to try to rescue to Señora Valenzuela and her daughter the property which had all the appearances of having been criminally wrested from José Castaños; that it was of grave importance that this should not be known to the public; that it was a great gratification to him that he, the Doctor, understood the character of the lawyers, who he believed were the heartless perpetrators of a fraud upon these poor people, and that a portion of the rancho had come into his hands, and he asked him if he would not let it appear publicly that he, Herman, was his attorney in reference to matters concerning El Roblar Viejo Rancho.

"Humph, my boy," said the Doctor, "you need not simply play the part of my attorney. I intended to retain you to perfect the title to the rancho, by procuring a patent from the United States, so that you can conscientiously represent yourself as my lawyer. Barter & Brooks — although the part of the rancho I now own is in no ways essential to the completeness of their tract — with their greed, which lets nothing escape them, are still planning to capture it, and it will be a bitter pill to them when they learn that it has gotten into my hands. They have been putting off applying for a U. S. patent in the hope of persuading Domingo to enter into an agreement with them to pay them a portion of the costs and fees, which they would build up to a figure sufficient to eat up the property itself. When they find out that I have acquired Domingo's piece, and that you are my attorney, they will, even if they do not press it, throw no obstacles in the way of obtaining a patent. They will not risk having their title remain without final ratification by the Government. You will have no difficulty, acting through your Eastern correspondents, aided by my friends in Washington, in obtaining early action by the land department. Now, my boy, since you are my attorney, I'll tell you in confidence; the Domingo Ortega tract is the most valuable part, by far, of the whole rancho. Oil, my boy, and quicksilver, and a valuable medicinal spring. Barter & Brooks don't know this, though one would think they had some idea of its value, the way they are trying to grab it."

This sent up Herman's spirits, and for the first time since he consented to act for Señora Valenzuela, did an unqualified feeling of confidence of success come into his heart.

He thanked Dr. Vanderpool warmly, and told him that he could command his best effort in anything that he could do to protect or promote his interests.

Upon returning to St. Agnes, the Doctor drove directly to his office. It was, with his sleeping apartment, in one of the ancient adobe houses near the ruins of the old presidio, established when St. Agnes was founded a hundred and twenty years ago. Portions of the old adobe barracks and appurtenant buildings and the old tile-roofed walls were then standing, and were to Herman objects

of romantic interest. The house belonged to a native Californian woman who had married an American, and they looked after the Doctor's creature comforts, preparing his breakfast and attending to his wardrobe and laundry. The front of the building, located without reference to street lines, faced the Mesa, and the side was a little distance from the traveled thoroughfare that ran by it, and you approached the office from the gate in a wicket fence by a straggling pathway around to the front, and entered, on the bias, in the same way the Doctor glided into his buggy. You went from the corridor into the office and from there into the bedroom which he used, when privacy was required, as a consulting, and sometimes operating, room. As one looked around the Doctor's quarters, he would soon discover that he was a thorough democrat, and whether by nature he was fond of melody and cared little for harmony, or by reason of his association with representatives of all classes of people, in the display of his belongings, he scattered helter-skelter around the office the most choice pieces of bric-a-brac and works of art and uncouth things incident to the practice of his profession, and cheap articles of convenience; seeming to think that it made no difference what company his valuable pictures and ornaments kept. In the office were a set of fine engravings of Hogarth's pictures, intermingled with anatomical plates and physiological diagrams; and rare bronzes and dainty bits of exquisite china rubbed elbows with linen bandages, stray surgical instruments and a pill-making machine and jars containing in pickle parts of the human anatomy the Doctor had severed from the interiors of his patients. In one corner was a medicine cabinet with an array of bottles and vials and ointment jars. In another were some hooks from which were suspended a skeleton, a linen duster, a couple of hats, and leggings and sundry other articles of common use.

The bedroom was furnished with a great four-poster mahogany bed, a lounge, a number of easy-chairs, a handsome dressing-table, with a great gilt-framed mirror, and the walls were hung with pictures of famous female singers and actresses.

"Sit down, my boy," said the Doctor, as he removed a

stomach-pump from a chair and put it on the window-sill, next to one of Rodger's statuettes. He then went to the cabinet and took out a tincture bottle labeled *spiritus frumenti*, and a graduate glass, taking care to turn away from him the side that registered the quantity. He then tempered the spirits with a dash from another bottle labeled *agua fontana*, which he tendered to his guest who was more indulgent with the latter fluid than his host.

"Here's success to your efforts, my boy, and damnation to Barter & Brooks."

"Thanks, Doctor, and here's a fortune to you from the oil and quicksilver and mineral water stored in El Roblar Viejo, and," taking a draught, "if the oil is of the fineness in gravity as this old Bourbon, and mother earth is as liberal a dispenser as my worthy host, you need only get enough from the quicksilver beds and medicinal springs to regulate the livers of your patients, for the oil will bring all the wealth you can desire."

"Humph! My own opinion," said the Doctor.

After having rinsed the glasses with water from the *agua fontana* bottle, he restored them to their place, and was about to close the cabinet, when there appeared in the doorway a little boy and girl, with dark complexions, straight, black hair, big black eyes and snow-white teeth, showing through their laughing mouths; neatly dressed, evidently out of remnants of their parents' worn-out wardrobe — the boy with a thread-bare brown plush suit of home-made, the girl in an old print dress — and both with stockings and shoes in good condition. (Herman had noticed that there were scarcely any barelegged, barefooted children among the natives. However poor the parents might be, they managed some way to clothe the legs and feet of their children. The idea of exposing the extremities of their youngsters to poisonous creatures and plants and to the dangers from sharp stones and bones and cactus and the like, to say nothing of impairing the shape of what they were most proud of, their beautiful, delicately formed and aristocratic-looking feet, brought a paroxysm to the maternal heart and a shudder to the frame.) The boy had in his hand a bunch of fresh mint, and the girl carried an Indian basket in which were a half-dozen lemons.

"*Buenos dios, Señor Medico;* we have brought you something to make medicine with."

"Humph, you little rascals, who told you they were to make medicine with?"

"We asked Mamma what you did with them, and she said that you made strong medicine for yourself, a different kind from what you gave other people."

"She did, did she? I'll put an extra pinch of calomel in the next dose I give her, and she can find out which is the stronger."

The Doctor took the medicants, put the mint in the Bohemian tumbler with some *agua fontana* and threw the lemons into an Indian mortar, returned the basket and gave a dime to each, saying, "*vamos.*"

They, however, did not obey the direction to "*vamos,*" but grinned, looked at the Doctor and at each other, shuffled their feet and showed no inclination to go away.

"What are you waiting for, you scamps? off with you."

"*Pilon,*" they both ejaculated, and grinned.

"*Pilon,* humph," said the Doctor. "I gave you ten cents apiece, that's enough *pilon.* You never get a *pilon* when you sell things, it is only when you buy them."

The children only stood and grinned.

"Look at the Indian stubbornness of these natives," the Doctor said to Herman. "A *pilon* or tip is expected and demanded with everything they buy and they will wait half a day to get it. You notice, and you will never see one of them coming out of a shop with a bundle but he has something he is eating, fruit, or candy, or dates; that is the *pilon.*"

"I think it a very pretty custom and one apt to take the hard edges off a Yankee trader, and to inspire a sort of family feeling between the shop-keepers and their customers."

In the meanwhile the Doctor surrendered, as the youngsters anticipated, took from his cabinet a glass jar bearing a flaming label on which appeared "Arsenic — Poison." and a great skull and crossbones underneath, and extracted from it a handful of old-fashioned candies, mint drops, lemon drops and sugar-coated almonds, gave each a portion and wheeling them around by the ear, gave them

a shove through the door, from which they ran shouting, "*Viva* Doctor, *viva* Doctor."

"Now, Thomas, if you will come around this evening, we will have a mint julep and a game of pedro," said the Doctor, as he put some broad-mouthed, round-bottomed little glasses in his pocket, "I must go now and 'cup' an old *paisano* who, unfortunately for me, has more blood than money."

## CHAPTER XIV

### EL ERIZO AND THE CONSPIRATORS

A FORTNIGHT after Dr. Vanderpool had acquired the legal title to the Domingo Ortega portion of El Roblar Viejo Rancho, Herman was seated on the porch of the St. Louis idly watching a group of arrivals from the San Francisco steamer, who had just descended from a Fifth Avenue stage that had, by a strange destiny, found its way, with its rear steps, its strap and bell and fare trap, from America's metropolis to the Cow Counties of California. One of the party particularly attracted his attention, a tall, thin, smooth-shaven man of about forty-five, dressed in black, with black hair — with the exception of a ribbon-like band of gray, nearly white, which stretched above one ear from the forehead to the back of the neck — small, gray eyes, with a narrow bridge between them, and a stereotyped smile. He appeared to have a noiseless tread and had a cat-like way of moving around. As he was about to enter the doorway, he was met by Gen. Peters with whom was a dark complexioned young man of thirty with an intellectual face that, however, bore an unmistakable expression of insincerity. He was in riding boots and had the appearance of having been on a fatiguing ride.

"How do you do, Mr. Brooks, I am glad to see you, sah, I hope that your health is good, sah," said the General, as he held out his hand, which Mr. Brooks pretended not to see, as he shifted his valise from one hand to the other.

"How are you, General Peters," he said, "and you, Emanuel, you seem to have just gotten in from the country."

"Yes," said Gen. Peters' companion. "Antonio brought your note telling me you wished to meet me, and I left the ranch early this morning."

Instead of going into the office, as he had intended, Mr.

Brooks, so addressed by Gen. Peters, motioning to the others to follow him, walked to the part of the porch near where Herman sat, away from the crowd, and where they were not apt to be closely observed or overheard; then turning to the others, with one of his blandest smiles, but an ugly look in his gray eyes, and the gray-white stripe in his hair seeming to grow whiter, said:

"Is this true what I hear, that Domingo Ortega has transferred his part of El Roblar Viejo to Dr. Vanderpool?"

"Yes," replied Emanuel, "so the records show."

"And did I not tell you that we must have this tract, and that he should be prevented from doing anything with the property in the meanwhile?"

"Of course I know that, and I used every means in my power to bring the old man around, or tie him up; but he was as stubborn as one of his broncos and I could do nothing; he finally got mad and said that I was the *peon* of you and Barter and that you were the blackest-hearted thieves and robbers of widows and orphans that ever came to California."

"And you, a Mexican, with your bragged-of experience with these Indians, and your ability to manage them, all you could get out of this man was abuse of us — and why were our names brought in, when you were acting as secretary of El Roblar Company?" said Mr. Brooks with a still more ominous smile and snake-like look from his gray eyes.

"Even if I did not succeed in this," answered Espinosa, "you have no reason to talk to me as if I were a child. As you are well aware, everyone knows that Barter & Brooks are the Company; that Barter & Brooks absorbed the main rancho, and want the remainder, and that I, if you will have it, am at the present time their tool; but, by God, and I tell you now, I won't be so long, if I am made the object of insult." And there was an angry flush and a malignant expression in the Mexican's face.

"Mr. Brooks, you really do Mr. Espinosa injustice, sah, I have seen him on Domingo's trail, and he has never once fallen down, sah. Don Manuel, you must not be angry, sah, Mr. Brooks does not mean to blame you for not

bagging the game, sah; but, of course, he is naturally disappointed. It is a great pity that the Company was without funds, and could not buy it for cash. I guess that sly coon, the Doctor, paid a very insignificant sum for it, sah."

"And you, General Peters," with a sneering emphasis upon the title, "where was your boasted generalship and your barrel of *aguardiente* that you claim is such a potent aid when dealing with these greasers? You told me that you had herded with them so long that there was nothing that you could not get out of them. You were sure that you and Manuel could get Domingo or any other Indian to sign anything."

"When an army has no amunition, sah, it can't do much in a fight. *Aguardiente* is a powerful weapon, sah, but it needs some cash to load it with, sah. You will remember, sah, that several months have passed since I have seen any equivalent for my services."

Turning to Espinosa Mr. Brooks said, "Do you know anyone who could approach Vanderpool in reference to the Ortega tract?"

"I can't think of anyone for the moment, but I believe it had better be tried through his attorney. He has told several persons that he had retained in his affairs a young attorney who came from the East some six or eight months ago, named Thomas. He can't know much about California law, and less about the way it is handled by experts here. Speak of the devil," he continued, lowering his voice, "there sits Thomas now. He is doubtless edified, if he has heard any of our conversation. It is, anyway, hardly like the shrewd Mr. Brooks to invite this conversation in broad daylight, before the public. But I suppose your wrath was too much for your prudence."

"Manuel," said Mr. Brooks, with a look of suspicion and distrust on his face, "your speech is certainly remarkable. Have you forgotten yourself and to whom you are speaking?"

"Oh, no, you are the junior member and senior devil of the law firm of Barter & Brooks, and I am its confidential clerk and scapegoat, expected to execute its schemes, do its rough work and bear the brunt of what there is of odium in it. I have been more than loyal, I have borne more

than could be demanded of a man with double my remuneration. Instead of consideration and appreciation, to say nothing of pecuniary reward, I have met with indifference and finally insult and abuse, and the limit is passed; I am done with you and your damnable service." As he spoke, his whole body seemed to quiver with rage.

Mr. Brooks at once comprehended that he was on very dangerous ground, and realized fully what it might mean to have this man, in whom he had aroused a devil he did not know existed, familiar as he was with all the secret inside workings of the firm, turn upon them. Cold-blooded and cool as he was, he was startled by the discovery of a spirit which had it been known would have barred his entry into their service, and a feeling of dread crept over him. In an instant his whole demeanor changed. Dropping the sneer from his tone and speaking softly and quietly, he said:

"Manuel, we are both wrong. I was very angry indeed at being outwitted by that meddlesome quack, but I had no right to vent it on you who had done the best you could and had always been faithful; and you were wrong in turning upon me who have certainly shown appreciation of your ability and discretion by entrusting to you our most confidential business, and have treated you anything but niggardly. I believe you would not have done it, however aggravated, had you not taken a glass too much after a hard ride, and so it is a thing of the past with me."

"Well," said Espinosa, "I have let loose what was in me, and the episode is over so far as I am concerned, and the matter need go no further than words. We had better both go to dinner and we may probably be in a better frame of mind afterwards."

He turned and walked down the porch towards the office door, the others following, and there was a look of triumph in his eyes.

While the conversation was going on there was a rumbling and groaning and creaking noise, coming down the street, drawing nearer and nearer, until the producer of the unearthly sounds stopped in front of the St. Louis just as Mr. Brooks and his companions reached the group at the door of the office. It was a cart with great wooden

EL ERIZO AND HIS OX-CART

wheels, cut like butchers' blocks, from a tree trunk, on heavy wooden axles — that one would think, from their hideous screeching, had never been greased,— drawn by two bronco oxen, yoked to the cart with leather thongs; and driven by a grotesque-looking old native with only eyes and nose and big ears visible in a shock of grizzled hair,— which gave his head something of the appearance of a hedgehog,— dressed in an ancient Mexican suit, evidently inherited from his grandfather. He was the last of the freighters of the old régime, who, by this primitive method of transportation, carried from the seaport what goods were required on the ranchos beyond the mountains. As he halted his chariot, and stood up on it, stretching his legs and arms, he caught sight of the trio of whom I have been speaking, and the sight was like that of a red flag to a mad bull. He slapped one hand upon his revolver and pointed to them with a long stick used as a goad, in the other, and stamped his feet and almost shrieked:

"*Mira, mira estos diablos ladrones y asesinos.* Look at those devils, robbers and cutthroats. *Caramba, mira esto pinto,* that spotted-headed coyote, that lying *Gringo* lawyer, Brookies. Mira that traitor and *Gringo Mexicano,* Manuel Espinosa, and that pluggie-hat *borracho* card-cheat, General Putos. *Oya, amigo,* Señor Latour, keep those *ladrones* out of your hotel, they will rob you and all your people."

The old man's forcible language and violent gestures afforded considerable amusement to the bystanders and gradually attracted quite a crowd from the street, and the objects of his wrath came in for a share of the audience's observation. The sheriff, who was leaning against a post, seemed equally entertained with the others, and did not at first make any effort to interrupt the show.

Mr. Brooks speaking to Espinosa in an undertone, said, "Have the brute arrested; there is the sheriff."

"I beg you, sah, do not do it," whispered Gen. Peters. "Keep quiet, he is just waiting for one of us to do or say something; see his hand on his gun? He would shoot either one of us, sah, like a dog. I know him."

"The General is right," said Espinosa, "and what is more, if he did kill anyone of us, no jury in St. Agnes

would convict him. As I told you at the time, when you insisted on fencing into El Roblar Viejo a portion of his rancho as he had occupied it for years, in accordance with natural boundaries, that there would be the devil to pay; and now the life of anyone of us is not safe in the neighborhood. Come inside and pay no attention to him," and he slipped in quietly and the other two followed. With the red flag no longer in sight, the roaring of the enraged proprietor of the ox-cart, gradually subsided into surly mutterings, and ceased when the sheriff slapped him on the back and asked him into the bar to moisten his throat after its strenuous exertion.

Herman enquired of Mr. Latour who the irate party was.

"That is Pedro Olivera, a hard-working Californian; not a bad man, unless he thinks someone wrongs him, then he would kill him as quick as he would a skunk, and Mistaire Espinosa and ze plug-hat General had better look out."

## CHAPTER XV

### DINNER AT THE ST. LOUIS

"*Mon cher Monsieur Thomas, charmé de vous voir,*" and the merry Mr. Sigismund put his arm around Herman's waist, and at the same time shook his hand; "and did you enjoy the grand divertissement, ha! ha! Pluggie-hat General; Pinto Brookies; Gringo Mexicano;" and Mr. Sigismund danced up and down, mimicking the furious Pedro to perfection. "I am sorry for my friend, Manuel, who is sensitive, with all his assumption of Satanic stoicism; but the populace is with old Erizo, as they call him, and the trio he vented his wrath on are not exactly idolized in St. Agnes. I am going to invite Manuel to dine with me, and I want you to make a third party. He needs cheering up; besides, I have just sold him a bill of hardware for El Roblar Viejo Rancho, which he runs for the owners, and a good dinner is not a bad *pilon*. Come, *mon cher*, we will make it a joyous feast with Monsieur Latour's famous burgundy. We two, no matter what mood the Mexican is in, can talk music and art, and the vine-clad hills of the Rhine, and the mountain battlements and castles, obelisks and shafts of the *Saechsiche Schweiz*, and *lieber* Dresden's nimble-footed fairy *Fraülein Boese*. *Voila notre Convie*. Good evening, Don Manuel, your delighted servant. Mr. Thomas, Mr. Espinosa. I have come to invite you to tear yourself away for an evening from those boon companions, the General and the Advocate, and be with Mr. Thomas, my guest, to-night."

"I am glad to meet you, Mr. Thomas," said Don Manuel, "Only too willingly, dear Sigismund. I need the change; besides, Brooks wants to dine with his own thoughts to-night, and we both gave the General the *congé*."

"*A la bonheur*, look," cried Mr. Sigismund, "here comes the Baron, a prince of good fellows. I did not think I would be so fortunate to-night, we will make a choice

*parti carré,"* and running to the door he seized Baron Municheisen by both hands, and, skipping in front of him, led him up to where his guests stood laughing.

"Oh, but you are happily come, and heartily welcomed, my noble Lord of Ruheplatz. We needed but your jovial presence to perfect our little dinner party. You will be one of us, will you not, *mon ami?* You know Mr. Thomas and Mr. Espinosa and I am sure you love my own frolicsome little self."

"Such brilliant fellowship is irresistible, dear Sigismund, and I accept with rapture your invitation. I had anticipated a solitary meal or uncongenial companionship. Only I cannot sit long over the coffee, as I must ride home to-night."

"At whatever sacrifice to ourselves, we will let you fly when you will. Helloa Monsieur Latour, *mon petit enfant,* do you see this group of *bon vivants?* Serve us a feast worthy of Brillard Saverin, perfumed and spiritualized with your best burgundy. Now for the grand *entrée.* Follow, comrades, all. And he danced ahead like Pluto, as, in *Orphée aux Enfers,* he lead the Olympian band on the descent of the Gods to Hades, playing a soul-stirring march on an imaginary kettledrum, in perfect imitation of that martial instrument.

The private dining-room of the St. Louis might better have been called the dining-room of the select. It had in it a dining-table in the center that could be made any length according to the number in the party, and a table in each corner which would comfortably accommodate four.

As Sigismund led his recruits into the dining-room, and halted at one of the corner tables,— not noticing a lady and gentleman who sat at a table opposite,— while his guests were being seated, he gave a tremendous roll on his invisible drum, threw his arms up in the air and brought them down with a crash produced by his mouth and feet. Catching a peculiar expression on the faces of his friends, he glanced around and discovered the couple at the other table. He immediately bowed with the grace of a courtier, and begged their pardon for his boisterousness, stating that he had thought the room unoccupied. A slight inclination of the head and a cold glance was the lady's re-

sponse, while the gentleman, with a sneer in his voice and expression which did not escape the sharp ears and eyes of Sigismund, and which a flame in his eyes showed he resented, said, "You have not annoyed us, we will soon have inured ourselves to the eccentricities of the country."

"Baron, do you know those people?" asked Sigismund in an undertone.

"Yes, Mr. Thomas and I have met them. They are Mrs. Stanley and her son, recent arrivals from New York."

"Not of our kind. They had better go back; they need a ruder climate," said our host.

Mr. Latour, by a peculiar eccentric motion worthy of a Ravel, had propelled his portly form through the doorway (through which he certainly could not have passed abreast, and yet his diameter was the same from port to starboard as from stem to stern), touched up our friends' table with his own expert hands, garnished it with tempting relishes, and stimulated each one's appetite with a glass of Vermouth.

"Is it not marvelous," said Herman, "that in this little provincial town, far away from any social center, unknown to most of the world, there should be found a hostelry like the St. Louis, with a cuisine and a wine-cellar the Poodle Dog could give little odds to."

"Why is it strange?" said Mr. Sigismund. "Is it not stranger that a hotel in this hamlet should have such patrons as yourself, who have studied and played and feasted in classic alcoves, and sacred groves and storied inns; and the Baron, who has skimmed the cream of social life in the fair cities of the continent; and Don Manuel, who was fed upon the luxuries of high life in the metropolis of our neighboring republic; and I, who have, as a fêted patriot and then a soldier of fortune, tasted the tit-bits of good-living in almost every land? And we are but a handful of the cosmopolites of education and refined breeding who are here, wafted as it were, from the flower beds of every clime. And each seems to have been transported to this charmed spot by some strange circumstance, the inspiration of providence or sorcery, whichever you believe in."

"You are right," said Herman, "and I was deeply impressed with it not long ago. About a month after my

arrival at St. Agnes I was watching a game of billiards played here in the St. Louis by two Englishmen, the face of one of whom seemed strangely familiar to me. He made some casual remark about Geneva, Switzerland, and excusing myself, I asked him if he were not Lord C. He replied in the affirmative and at once recognized me. We had had the same private tutor in Geneva, and he had been a member of a cricket club at whose games I had acted as umpire. He was traveling around the world with the son of a distinguished English jurist. When he left St. Agnes he gave me his card and invited me to call upon him at St. James Place, London, and, also presented to me the novel 'Not Wisely but too Well' which had only recently been published. A couple of months later I saw a news item stating that he had committed suicide, and I wondered if there had been a romance in his life, young as he was, and a motive in making me a present of the novel."

"Romances in lives are sometimes hard on the nerves," said Sigismund, "and frequently make devils of saints; but suicide is a fool's specific, while the world has its joys and pleasures and the senses remain keen, if super-excited; and only when earth becomes a flavorless, scentless desert waste, should the grim monster be courted."

"There is such a thing, Señor Sigismund," musingly replied Don Manuel, "as the mind and heart being a waste or a chamber of horrors, while the senses retain their sway; and in such a case, it is a question of a lifetime's torture or the peace-bringing blade or bullet."

"Suicide, unless it is involuntary, from overeating," exclaimed the Baron, "is not a proper attendant at this table, with these delicious marrow-bones, and this chablis with the bouquet of Jove's nectar. Away with so hideous a phantom!"

"Pardon, my good Monsieur Latour," exclaimed the host, "let me change a little my order; bring on a bottle of your fine mellow Bordeaux, with the chill taken off; it will go charmingly with that tempting gigot and those haricots verts that look as tender as the first green shoots of spring. The chambertin can follow. Ah, what scientists these French chefs are. The temperature of the boiling water in which those string-beans were plunged never was

lowered, for a red hot poker accompanied their entrance into the kettle."

The dinner was thoroughly enjoyed, even by the morose Manuel; and after a towering omelette soufflé, Mr. Latour's own *chef d'œuvre* had disappeared, and the cheese and the fruits had been nibbled, and the coffee and *liqueurs* had come on, and all others had fled the room, as was the custom with his appreciative *gourmet* friends and patrons, Monsieur Latour was invited to join the party and receive the enthusiastic tributes paid to his talent, and drink a toast to the St. Louis. A place was made for him at the table and after a *petit verre* or two, he succumbed to the hypnotic influence of Sigismund, and sang some familiar French songs of the people with vivacity and sweetness hard to comprehend, coming from so great a morsel of flesh; and Herman was reminded of that little three-hundred pound tenor who rolled with exquisite grace around the stage, and enraptured the audience with his angelic voice — the one Wagner had selected to sing his grand operas,— Schnorr von Carroldsfeldt.

It was a pity, but the Baron had to desert the party when the cigars had barely been lighted and just when the most delightful part of a dinner of congenial spirits begins; when the choice things of mind and soul are brought out, and enjoyed in the kindly atmosphere of good fellowship. Herman excused himself for the moment, and accompanied the Baron into the office.

"I have a favor to ask of you," he said to the Baron, "I have written a song, the theme of which I think accords with the sentiment and feeling, oftentimes mournful, of a lady friend of us both, and I want you to compose, helped by some suggestions of mine, the music for it."

"It would give me great pleasure, but I would like the assistance of Sigismund in preparing the instrumentalization. The three of us should create something not altogether tame or commonplace."

"Here are the words, and it is for you to give them voice in melody, and I know no one here more competent for the task. Good night, dear Baron, a delightful ride in the glorious moonlight. Best wishes to Madame Münicheisen."

Returning to the dining-room, Herman met Dr. Vanderpool, who was at the same time spied by Sigismund.

"Come join us, Doctor," he called, "Mr. Thomas, bring in that minister to mortal maladies, and we will prove to him that there is a blessing and solace in a Benedictine and a good Havana, that his *materia medica* cannot produce."

"Helloa, boys, how are you? Anything new? Having a good time, hey? Don't mind joining you for a while. *Como va* Señor Espinosa, anything new?"

"Nothing that comes to my mind, except maybe the news that you are our neighbor, having bought out old Domingo. By the way, can't we get you to join with us in procuring a patent to the rancho? The Company's attorneys, as you know, are Barter & Brooks, the ones who had the grant confirmed, and they and their Washington correspondents can handle the matter more satisfactorily and more reasonably than any others, and if you would have them represent you, their fees and expenses could be borne by us and by you proportionately in accordance with the values of the respective ownerships."

"You should have suggested this before," said the Doctor, "I have just retained Mr. Thomas in this matter and cannot well pay for additional counsel. He can coöperate with Barter & Brooks, and doubtless it will be better for us both."

"Come, come, no business to-night, gentlemen, it is a sacrilege," cried Sigismund. The Doctor helped himself to a glass of Benedictine and a cigar. "Our late-welcomed friend has prepared himself for more pleasurable topics than lawsuits and lawyers' fees."

And the topics were indeed productive of more enjoyment, and the conversation more edifying, and the wit and repartee more brilliant, and the thought and expression more earnest and sincere than could have come from discussions of the world's sordid affairs. And the good night was spoken with a friendly warmth, and hands shaken with a cordial grasp, as the party broke up, which was possible because of the banishment of the petrifying spirit of wordly gain.

## CHAPTER XVI

### THE OLD MISSION

HERMAN was in a pensive mood, and as it was a balmy afternoon, and no professional work tied him to his office, he concluded to walk out to the Mission and pay Father Aloysius a visit.

The Mission, with the judgment, foresight and practical ability that characterized the priestly founders of all the California missions, was built upon the choicest site for utility and beauty in St. Agnes. It stands three hundred feet above tide-water, at the mouth of a beautifully wooded cañon through which winds picturesquely a large stream, and back of which the mountains rise abruptly in all their solemn grandeur. It commands on the south the valley in whose bosom rests the town, and the ocean and distant islands, and in the east the mesa and miles of slopes and plain dotted with live-oaks; and from most every point of view its Moorish towers and cross can be seen rising heavenward, standing out from and seemingly guarded by the mountain barriers, calling the thoughts to sacred things and, one fancies, bestowing a benediction on the land they overlook, and the beings that live and toil and play and joy and sorrow upon it. In those days its color of soft yellow blended with the landscape's summer tints; its fountain in the cloister garden of rare plants and sweet flowers, and that in front the church which fed the stout reservoir where the neophytes washed the vestments and linen, and whose knee-marks in the stone can now be seen, played musically; and a graceful arch of masonry, now gone, spanned the road leading into the cañon, a becoming portal to the beautiful ravine, in which was framed an enchanting picture of woodland and stream.

Father Aloysius met him at the cloister steps and suggested that they stroll into the cañon. The visit had been

timed for the Father's leisure hour, so that they would be free from interruption, and could go where they would. They walked up the stream to a little chapel-like nook, shut in with great bowlders and gnarled trees whose branches formed a rustic roof and shelter from the sun; where the murmur and ripple of the stream and rustle of the leaves were as subdued as the birds chirping at sundown. There they sat down and talked familiarly as two comrades. Herman first told the Father of the new event in the history of El Roblar Viejo Rancho; the acquisition by Dr. Vanderpool of the Domingo Ortega tract; his retainer by the Doctor; the arrival at the St. Louis of Mr. Brooks; his interview with Manuel Espinosa and Gen. Peters; the onslaught of Pedro Olivera, and the endeavor of Espinosa to persuade the Doctor to employ Barter & Brooks.

Father Aloysius was much interested and entertained and laughed merrily at the description of the performance of El Erizo, though immediately a serious expression came upon his face.

"He is very ugly, very dangerous, and there is no telling what may be the outcome of this," he said. "I believe that I have greater influence over him than anyone, and have often been the means of calming his passions; more I suppose, because of my priestly calling, for his religion is the only authority he recognizes and will submit to. But I fear that I or no other human being could stay his hand if he encountered Brooks or Espinosa alone in one of his angry moods."

"I think they dread this," said Herman, "and will try to keep at safe distance from him. I know that Gen. Peters will not cross his path if he can avoid it, from the way he turned white and trembled when Pedro turned his attention to him."

"I am not surprised, for he is a despicable, cowardly creature, and must be hounded in his conscience by more than one avenger. He has been connected with a number of nefarious schemes and deeds, among which may be counted the defrauding of José Castaños."

"I am sure," replied Herman, "that he played an important part in that swindle, and I believe he can, by judicious management, be made the means of exposing it.

This has been for some time in my thoughts, and as great as is the loathing I have for him, I have never let him see it; and he has been kind enough to say to Dr. Vanderpool that I am an American gentleman and far superior to those foreign cads that are ruining St. Agnes as the seat of gentility. I may, myself, be able to gain from him facts that will lead to the recovery of the stolen property."

"I hope so, sincerely, and you have my earnest prayers for your success. I take deep interest in this family. The old lady is now serene and happy, and I do not know that prosperity would bring her any greater peace; though for her daughter's sake, she would rejoice. But she should be surrounded with comforts in her old age. It is true that these native women can and will uncomplainingly subsist upon very little; a little jerked beef and beans will satisfy them, and they will live comfortably where an American woman would starve; but, nevertheless, they appreciate and are benefited by good living equally with those who can endure less. It is, however, more on account of Carmelita that I would be glad to see them in better circumstances. I feel very uneasy about Carmelita. She is a very good and obedient child, and it may seem strange to you that I should have this feeling, and yet there is cause. I would have no fear if her association were exclusively with her own people; but, being obliged to earn her living, she is thrown with the American newcomers, goes to their houses, and sees the display in dress and comforts and luxuries which money affords; and she has an ambitious longing for them, especially for the finery, and at times grows discontented, unhappy and envious. What makes this doubly dangerous is that, like the rest of her native people, with all her ease and grace, she is absolutely ignorant of the world and its deviltry. May God protect her."

"I fear, Father, that I was very foolish, in what I said in a letter I wrote to an old friend soon after my arrival, that the usefulness of the Mission friars had gone with their Indian wards. It seems to me that they have, if in a different form, as difficult duties as when they ministered to their savage neophites."

"We have as grave responsibility, and, in many ways,

equally as trying and difficult tasks. All that keeps these people from degeneracy and degradation is their religion; and the priest has no easy work in keeping the faith alive and ardent in them, and none but our own church could accomplish it. Gentle treatment, object lessons, unless spiritualized and made the symbols of divine personages and mysteries, refined surroundings and a moral atmosphere, will not control or rescue them. They must have the presence of the God of Justice as well as of love before them; must feel the Church's discipline and penalties, and at the same time be treated gently and tenderly and led along like little children in the atmosphere of love. The confessional is the great conservator of virtue and preventer of crime. Through its ministry family ties are sacred among these people, and infidelity rarely comes to strain them. The majority of the men, the descendants of the Mexican soldiery who occupied the country,— many having Indian blood in their veins,— have little religion, and rarely perform their obligations as Catholics; some not until the approach of death terrorizes them, and they seem to be impervious to any direct influence. All we are able to do is to try to move them through the women and children; but the saddest part of it is, the bad example of the fathers make it almost impossible to train the boys to a correct life."

"I wonder if you could make a Catholic of me, Father?"

"Not if it depended upon personal importuning. My prayers might." And looking at Herman, dreamily, he continued, "You will come and ask admittance to the Church when the world has become bitter to you and God demands of you some great sacrifice you cannot make without His aid."

"By the way, Father, have you noticed a fine-looking lady with her son,— a tall, well-dressed young man, recent arrivals from the East; their name, Stanley?"

"Yes, they were at the Mission some days ago, and I must say I did not receive a favorable impression of them. It came principally from sneering remarks and looks. Their manner,— it may not have been intended,— was very contemptuous, and they acted as if they were viewing a museum, and on taking their leave asked if there was anything to pay."

"I," said Herman, "have taken a stronger prejudice against them than I am wont to have against anyone without good cause, and I keep wishing that they had never come to St. Agnes. This is why I asked you about them."

"I can understand exactly your feeling, and I myself have a presentiment that their presence bodes no good."

They chatted until a signal bell from the Mission warned the Father that his hour of recreation was at an end. When they came back to the Mission, they found the venerable, white-haired superior, an old missioner, who had seen dispersed the last of the Indian Mission wards, and was now peacefully awaiting the reward of his sacrificial labors. He greeted Herman, whom he knew, with a saintly sweetness, and gave him his blessing as he departed. Herman turned at the foot of the steps to give a farewell glance. The old man's hands were folded in his lap and on his face rested a gentle expression of perfect peace. Father Aloysius stood beside him, with his hand resting affectionately upon his shoulder, a faraway look in his eyes and an expression of deep sadness in his features. Side by side were the faithful warrior who had fought the good fight and won the soul's peace, and the youthful soldier with the zealot's aspiration and ardor, the struggle yet before him—both bound by sacred vows to a divine allegiance, in the noblest cause that can command the sacrifice and valor of heroes and martyrs, the salvation of souls.

## CHAPTER XVII

### HERMAN'S LAW CHAMBERS

St. Agnes boasted two brick buildings when Herman first hung out his sign. One was a little school-house, looking like a meteor fallen among the adobe residences; and the other,— a two-story business building with a drug-store in the first story and offices in the second,— stood at the corner of the principal street and a well-traveled side street. The lot and building were owned by Dr. Barton and the drug-store by him and a Chilean who was, like Dr. Barton, a skilled pharmacist. The building bore the title of Pharmacy Hall. A narrow porch on the second story ran along the front and the side facing the side street, which was reached from the side street by a steep outside stairway. The offices let out on the porch, like steamer deck cabins, and were partitioned one from another by thin redwood boards, resonant conductors of sound, and when occupied by the different tenants all talking, seemed like a great harmonica. On the corner, at the intersection of the streets, Herman had his office or offices,— for there was a cupboard-like little back room,— which were occupied by Herman for study and clerical work. If there was to be any private consultation or confidential conversation, he took his client to a lumber-yard adjoining, where the problem was solved and the business transacted on a pile of boards; and if there was any figuring to be done a shingle served as writing tablet. The back room was used as a lavatory and store room, and Herman now, when he looks back at those pioneer days, always associates it with an Englishman, one of his early clients, Spencer by name, who was always called,— and it was believed by many of the inhabitants correctly so,— Lord Spencer. He was a jovial and hospitable fellow, and his greatest ambition was to get his guests at dinner under the table. For one of noble lineage, he misplaced his in a remarkable way. One day he entered

Herman's office in an agitated manner, with a bottle in his hand, and asked if he might not go into the back room and apply some lotion to his wrists and arms where he had been severely poisoned with poison-oak. After he had gone in, with Herman's amused assent, and applied the remedy and returned, Herman said, "Does it hurt, Spencer?" To which his Lordship replied, "No, it doesn't 'urt, it hitches."

The rooms at the head of the stairway at the other end of the side porch, had recently been rented to a daper little Canadian with yellow hair and a little yellow tuft on either cheek, who always wore in his office a velvet jacket, and appeared on the street in a white waistcoat, white necktie and silk hat. He was a dentist, but did not seem to court practice. He had fitted up his chambers simply and neatly, with fresh, clean little pictures of landscapes on the walls; and the night to which I am about to refer, he had just spread out on his floor some brightly colored new matting. His rooms were as dapper-looking as himself. Dr. Devine, for that was his name and title, was sensitive and of an extremely nervous temperament; he had come to St. Agnes to try to build up his health and strength. He angrily resented any undue familiarity or reference to his personal peculiarities in conduct or dress. He was one day made ill by the remark of a teamster and remained in bed two days as the result. He had on that day appeared upon the street in a collar of unusual height which looked as if it might endanger his ears, when the irreverent truckster caught sight of him, and called out, "Helloa, Doctor, are you going to haul manure? I see you have your sideboards up."

Dr. Devine was fond of music, sang quite sweetly in a low-toned, womanish little tenor, and played quite correctly arias and waltzes on the guitar. He and Dr. Barton spent many pleasant evenings together, in company with their guitars, and often this comfortable and cozy office was the rendezvous of a number of lovers of music. These little gatherings frequently ended with an invitation from Dr. Barton to adjourn for a little supper at his house next door, where would be found on the dining-table an appetizing round of cold beef, a pile of French loaves, some English relishes, and a goodly array of bottles of beer.

One moonlight evening Herman met by appointment the Highland Scot, Mr. Macdonald, who,— the sheep-shearing over,— had come over from the Island principally to do a favor for Herman who needed his advice concerning the character and value of a band of cattle a client proposed to transfer to him, upon the payment of a portion of the purchase price in cash and the remainder to be offset by valuable services rendered by Herman, in an intricate transaction involving a considerable sum. If the cattle were worth about the sum they were claimed to be by the owner, he was willing to accept the proposition, though it necessitated his borrowing the cash. Macdonald and Herman arranged to go the next day on horseback to the range. Macdonald, however, had an important act to perform in the morning before leaving; he was to surrender his allegiance to all foreign potentates, especially the Queen of England, and enroll himself an untrammeled citizen of the American Republic. The proceeding was a greater ordeal to him than to most of our citizens by adoption, and he looked forward to it with anxiety and distaste.

"I will never go back to Scotland. I have quarreled with my own people, and there is nothing for me to lose there in becoming an American citizen. I have a deal to gain, as I intend remaining in the country. Yet I dinna like it, I dinna like it. The queen is a fine mitherly old lady, and she has never done anything to hinder me from having my own way, and the government is gude enou, and the people are free enou, and I would not desert her, if I were not going to live away from her, out of her kingdom; but I dinna like it."

"You take it too much to heart," said Herman, "it isn't as if you were doing anything to injure the queen or her kingdom or subjects; you are simply acquiring civil rights in a nation where there is no sovereign but the people, and no subjects, and pledging your allegiance to this nation under whose protection you are going to live in the future."

"Yes, it is all right, but I dinna like the oath; it's like swearing myself a traitor to the old queen."

"Well, said Herman, "we'll go call on Dr. Devine, at the end of the corridor. I hear him and Dr. Barton

making merry with their guitars and we'll have them play you a Scotch ditty to cheer you up."

They were heartily welcomed by Dr. Devine and his guests. The company consisted of the two Doctors, Mr. Sigismund and a short, powerful, immensely broad-shouldered man, with long gray-streaked brown hair — falling over on one side of his broad forehead, giving him the look of a dreamer — and brown beard, and bright, sparkling brown eyes, with a soft, low voice,— Mr. William ap Williams,— a Welshman by birth, an American by adoption, and the owner of a good slice of a rancho by marriage to a native Californian; and sitting against the wall, with his body straight upright, veiled with a pulsating cloud of smoke, caressing his biceps, appeared the form of Mr. John Stuart.

"Come in, gentlemen; I am glad you called. We are having a little musical christening of my new matting; but I must borrow a couple of chairs from your office, Mr. Thomas, as all sitting down contrivances are already preempted."

"Hail, hail, the chief has come," cried Mr. ap Williams; "the Island Highlander. A greeting to you, my noble Celt. How are the flocks and herds and the vassals, and the blood of the choice vines of San Luis Isle? I am glad that you have crossed the raging channel, to rejoice the hearts of your comrades of the mainland, and I trust that within the hold of the schooner that bore you were stored some casks of the vintage of which I have tasted and too generously shared with my friends; for alas, the lees in the bottom of the barrel you sent me have just been reached."

"O my bonny bard of Glenmorgan," replied the Islander, "hae no fear; under the ribs of the 'Meg Meriles,' lies, with a few companions, a barrel of the same heft and flavor, only softer by a year added to its age, which is labeled, 'For the Welshman, William ap Williams,' and the sailors are instructed to load it on your back, if they canna find anither beast o burden."

"Mr. Williams," said Mr. John Stuart, "if you will send me word when your share of the cargo is ready for delivery, I will be glad to render my assistance in transporting it to your home, and will be pleased to give you my judgment which rests upon wide experience, as to its

body and bouquet. And, by the way, my worthy Governor has just sent me a bundle of tracts which I think will be of benefit to you, Mr. Macdonald; one in particular, which you might read at sheep-shearing time: 'Let your heart be free from wrath and your tongue from profanity.' And he produced a packet which he gravely presented to the Highlander.

"Awa wi them, I'll hae nane o your tracts. They have lost their influence anyhow in your pockets; nobody could be pious enough to read them wi that stale tobacco smoke under his nose."

The restless eyes of Mr. Sigismund, in the meanwhile, had been traveling from Dr. Barton to Mr. Macdonald, and from the Highlander to John Stuart and from John Stuart to the Welshman and back over the four, scanning each sharply from head to foot.

"It looks to me, gentlemen," he said, "as if we had four Titans in our midst, in anyone of whose hands should his wrath be enkindled against us, we would be as pipe-stems. Mr. Thomas and Doctor Devine, just look at the physical make up of these celtic-blooded men of muscle. I say celtic-blooded, for John Stuart is a Scot and Dr. Barton an Irishman, somewhere back in their family tree. Mr. Stuart, would you kindly let me inspect your anatomy," and springing from the high stool where he had been seated *à la* Turk, he seized John Stuart's coat, and with the rapidity of a juggler, had it off before the owner had finished expressing his consent. John Stuart wore no waistcoat and his underwear was of an ethereal woof; and the rock-like solidity of his chest and the great masses of muscle bunched upon his stomach and ribs and back, to say nothing of the powerful springs in his beloved biceps, could readily be felt through the gauze texture.

"How grand, how magnificent," cried Sigismund. "Come, gentlemen, and view the thews of iron and steel in this colporteur of pious literature."

The others, much to the satisfaction of the subject, each took a turn at examining John Stuart's muscular development, and each expressed his admiration in glowing terms, except Mr. Macdonald. He silently inspected every muscle with the greatest care, pounded and pinched and

wrenched them, John Stuart never wincing, and then simply said, "Nae sae bad, nae sae bad; but if you want to see an arm to wield a claymore, look at this." And he off with his coat and rolled up his sleeve and displayed an arm that any swordsman might be proud of; and he received the compliments of the audience. In the meanwhile Dr. Barton quietly took off his coat, and rolled up his shirt sleeve and exhibited one the like of which Herman had never seen. It was white as snow and smooth as polished ivory, and the sinews seemed welded together into a bar like steel, across which a plank might have been broken, or a stone crushed upon it like upon an anvil. Everyone was carried away with its strength and beauty, and Mr. Sigismund danced around in ecstasy. The Highlander looked downcast and disconsolate. Suddenly his face brightened, and he pulled up a leg of his trousers and exclaimed, "And is there a calf like this in the room? If you come over to the Island I will back it over the hills and thrae the brush against any mon you can produce on the toughest mustang on the ranch." They all admitted that there was not another such leg in St. Agnes. In fact it had the appearance of a Zulu chief's war club. When Mr. Macdonald had, chuckling with satisfaction, pulled down his trowser leg, and John Stuart and Dr. Barton resumed their coats, Mr. William ap Williams leisurely arose, took off his coat, rolled it up, laid down on his back on the floor and put it under his head as a pillow, saying:

"Gentlemen, this clinic should not end without my contributing to the instruction of those present," and holding out his hands, he continued, "Dr. Barton, will you kindly step upon my hands?" The Doctor obeyed the direction, and Mr. William ap Williams, clutching tightly each foot, slowly raised his body erect and then stood upon his feet, holding the Doctor aloft until his head touched the ceiling; then with the same apparent absence of effort, holding the Doctor erect, he sat down, laid back upon the floor with his head on his pillow, and informed the Doctor that he might step off. At this feat the applause was unbounded. Mr. Williams put on his coat, rolled and lighted a cigaritto in a few seconds of time, took his seat and remarked: "That is nothing. Why, in Wales, it is a com-

mon thing for a man to lift up a horse in that way. In fact, they train porters, and have platforms made for the purpose, to load horses upon vessels by this means."

Mr. Macdonald stood a moment or two, staring at Mr. Williams, and then said, "What a wonderful imagination you have, Glenmorgan, what a pity the days o' the minstrel hae gone by, you would hae made a brilliant ane."

Dr. Barton had taken up his guitar and commenced softly to play Robin Adair, when Mr. Macdonald pricked up his ears.

"Sing it, Doctor, sing it," he said, "It is a lang time since I had a breath o' old Scotland."

The Doctor sang it with feeling and sweetness, the audience listening in silence, each one occupied with his own thoughts; the Highlander's mouth twitching and eyes blinking in a manly effort to conceal his emotion, and Herman transported in memory back to the old opera house in Dresden, long since burned, where he sat dreaming and listening to the same air in that beautiful opera, La Dame Blanche.

"Thank you, Doctor, thank you, but it upsets me in a way. I wonder if I am doing right to pledge my troth to anither than my native land. I love its crags and glens and lochs; and yet it has always been a cradle o' trouble and sorrow to me, and drove me from it."

Sigismund glanced at the moved Scot from his perch on the high stool, picked up a piece of red wrapping paper, twirled it into the shape of a cornucopia, with a long point, crossed his legs, fitted it on the end of his shoe, in Mephistophelean mode, pulled a piccolo from his pocket, and struck up a Scotch horn-pipe, swaying his head from side to side, making remarkable gyrations with his flying fingers and swinging his pointed toe in time with the spirited air. Dr. Barton immediately took up the accompaniment on the guitar, and the Highlander, leaping to his feet, danced it with the skill of a true Scot, and an energy which rattled the partitions of Pharmacy Hall from one end to the other and jingled the bottles in the drug-store below. Dr. Devine commenced to fidget in his chair, and finally arose, paced nervously up and down, and stopping in front of the strenuous Highlander, said pleadingly, "I beg you,

Mr. Macdonald, not so violently, you know the matting is not tacked down."

"I'll tack her doon for ye," and leaping in the air, throwing his legs apart and bringing his heels together, he came down with a rattling clash on a strip of the new matting, which, gliding along the floor under his feet, brought him with a thud upon that part of his anatomy that received the concussion when Peter the Headstrong fell at the battle of Fort Christina. Springing to his feet, he turned to Dr. Devine and apologized for his roughness, saying, "You must pardon me, Doctor, I am half daft to-night; it is the last time I will sing and dance to my native airs, under the gracious smiles of the lion and the unicorn, and I dinna like it, and I'm not myself. Good night, gentlemen; I will leave you now to gentler play, I will meet you to-morrow, Mr. Thomas, as we have planned," and turning a deaf ear to the expostulations of the others, he was off. Herman walked up to the corner of the porch to see the last of him. As he reached the main street, a cow with a bell, pasturing, as cows did in those days, along the thoroughfares, was tolling its way peacefully up the street. The Highlander gave a whoop, leaped upon her back, and dug his heels into her sides, slapping her with his sombrero and yelling like an Indian; and the panic-stricken creature ran in a wild stampede towards the Mission, with the mad Scot on her back.

## CHAPTER XVIII

### SWEARING AWAY HIS QUEEN

THE next morning Herman and Mr. Macdonald rode together to the Court House; and Herman held his horse while the Highlander went in with his witnesses, who were awaiting him, and passed through the ordeal he so dreaded, without anything occurring to arouse his ire and turn him from his course; and emerged with a somewhat deeper crimson on his round cheeks than painted by the Island sun. They rode off in silence. The Highlander seemed to wish to commune with his own thoughts, and Herman, never very talkative, did not care to break in on his revery. Besides, he, himself, had food for thought about his own affairs. There was always a great struggle in his mind, in business ventures, between his enthusiasm and his sense of prudence, backed frequently by advice from his conservative friends, and his enthusiasm generally carried the point. In reference to the proposed purchase of cattle he had talked with his friend, Col. Morgan, who had begged him to be very careful, and told him that on general principles it was unwise to run in debt to go into this or any speculation of a character he was not perfectly familiar with and could not personally supervise. Herman reasoned that cattle raising was the paying industry of the country, that if these cattle were what it was claimed for them, he would be getting them at a great bargain and at the same time receive in this way a much larger fee for his services than he would otherwise obtain, and be perfectly assured of it. Col. Morgan only shook his head, and said that there were many contingencies to making a pecuniary success of it; that if he would look into it, he would find that those who made money from this industry were the ones who were brought up in it. Herman admitted to himself that this was sound advice; but his imagination had

built him a fortune from the venture, and I fear that he was prepared to take the cattle, even though Macdonald should report aversely upon them.

The Scotchman was the first to break the silence. And it might be well to state here, that Mr. Macdonald's speech was of two varieties: one pure English, well expressed, with always, however, a rich Scotch accent; and the other, the most pronounced Highland dialect. Whenever he was excited, and that was most of the time, he had recourse to the Scotch, which he poured forth most volubly, forcibly and musically. When he was in the company of a *persona non grata* he, with a sort of maliciousness, used it, and woe to the man who ridiculed it.

"And so, my friend, you are determined to go into the cattle industry. Well, it is a gude business, if you are careful and watch it closely. You must never starve your calves; but it is hardly necessary to say that in this country where they have no dairies; always have more than enough range; never let any disease into it, and if you are like us old country cattle raisers, always providing against dangers in the future, you would grow some hay every season, to help tide over a dry year. Above all things keep raising the breed of your mongrel stock with thoroughbred bulls. Another thing I will caution you about; look out for your neighbors. If you don't keep a lively eye on them you will find that there will be no increase with your brand on them. But it's the sheep business that is the most satisfactory and best paying. What diseases they have are easily handled; they waste no pasture, but glean the earth of every blade, and your bands are not thinned by neighboring depredators. The products bring gude prices, and you are rarely without a market. The Basques understand the sheep industry better than any, and they all grow wealthy in it in this country."

"I have yet to visit your Island," said Herman. "I understand that you raise both cattle and sheep."

"Yes, we have about twenty-five thousand head of sheep and about five thousand cattle. I have some very good horses too, which are my own little speculation. We also make a little off our vines. The wine is a very fair claret, it seems less heavy and is softer than that produced

on the mainland; something in the soil, as well as in the making. We have a Frenchman who understands it thoroughly and treats it with wine lees from Bordeaux."

"I have, like many others," said Herman, "pictured the romantic delight in owning an Island; the independence and the feeling of lordly sovereignty; though I fear that life upon it would not be the thing for me, inclined as I am to solitude. I would be apt to become a hermit."

"Not if you took interest in the duties and occupations it affords. I myself am nane too fond o' company, but I never could be a hermit on the Island. When I am climbing its hills I am as happy as a king, and I think I am in my own native land, and it does my heart good to share the enjoyment with good fellows after my own heart; and it would give me great pleasure if you would pay me a visit. I think I could divert you for a week or two, and you would have no chance o' playing the recluse."

Col. Morgan and his daughters with a Mr. Douglas and wife as guests, on the same day that took Herman and Macdonald down the coast, had arranged to drive over the same route to a little town some thirty miles east of St. Agnes; in the neighborhood of which Mr. Douglas, a scientist making researches on the coast, desired to view certain geological formations. Knowing of the expedition of Herman and his friend, Col. Morgan had invited them to join them at lunch at the mouth of the cañon where Capt. Seymour had his camp, stating that he had also invited Capt. Seymour to be with them.

Herman and the Highlander reached the spot at the time appointed, and the luncheon had just been spread out where there were a number of convenient bowlders scattered about serving as seats, and the parties sat down, with appetites sharpened by their drive and ride, to a bountiful repast.

Mr. Macdonald, whose Scotch dialect had been scarcely noticeable when talking with Herman, resorted to it in its most pronounced form while at lunch; and prompted Mr. Douglas — whose knowledge of human nature, except in American dress, was limited,— for the entertainment (as he imagined) of the others, to chaff him. The Scotchman bore it good-humoredly for a time, rather amused at the

want of judgment and tact of the joker; but as it grew personal, it could be seen that he was growing irritated.

"Although I am Scotch on both sides, the Douglasses and the Dales, I am mortified to say that I have read somewhere that the Scots sold themselves to England for a penny apiece. Is that so, Mr. Macdonald?"

"The Douglasses are a richt gude family; but the Dales are all daft and the head of the Dale house is in a mahd house to-day. I dinna ken if the Douglasses or Dales sol themsels for a penny apiece, but no English siller ever got into the hans of a Macdonald, unless it was won in a fair fight."

"May be not," continued Mr. Douglas, "but the clan Macdonald was not so scrupulous when it came to lifting a bullock or carrying off a girl from the Lowlands."

"I suppose," replied the now indignant Scot, "ye hae been reading in your scule bukes, for ye seem to hae got not much beyon them, about old Donald Macdonald an the ballad o Lizzie Lindsay. But she gang wi him o her own frae will, an if the auld mon tuk a bullock or two from a Lowlander, it was owen to him for something the Lowlander had done. Ane thing a Macdonald ne'er did; he ne'er insulted a gentleman, a stranger to him, at anither's table an himsel a guest." Then springing to his feet, he exclaimed, "An to think ony to-day I swore away my queen; why I wudna gie a bunch o heather for the whole dahmed country." Saying which he strode off towards his horse, stopped, turned back, and addressing Col. Morgan, said, "I thank ye, sir, and your gude dochters for your courtesy an hospitality, an I ask ye to pardon me. I am a chiel, or rather an auld foo; but I canna stan to hear my native lan an my clan abused by ane who kens more o bukes than o breeding." With which he left, in spite of the vehement disclaimer by Mr. Douglas of any intention to give offense, and the pleas of the others that he return. Herman, excusing himself, followed him. Just as they were mounting, Martha came up and addressing gently the excited Highlander, said:

"I am very sorry, Mr. Macdonald, that the thoughtless words of Mr. Douglas, who is a tease and practical joker, as his family and friends well know, should have so

wounded your feelings. I can understand your affection for your native country. I have been there, and I myself fell in love with its storied beauties. I can sing and play a number of Scotch ballads, and some say almost as well as if I had learned them as a child in Scotland; and it would give me great pleasure to sing them for you. Mr. Thomas, I know, will escort you to our home, and my father joins me in asking you to come."

"You're a bonny lassie, an a thoughtful ane, an I will be indeed happy to gang to yer hame. Ye must forgie me, it no takes much to-day to bring the blude to my head," and with downcast look he rode away. Herman stopped a moment to thank Martha for her kindly words and invitation to his eccentric friend. "It was a gentle act," he said, "and will do more than anything to soften him." Herman then joined him, and little conversation passed between them until they reached their destination about sundown.

## CHAPTER XIX

### MRS. TURNBULL AND HER MEERSCHAUM PIPE

AFTER leaving the lunch party, their way had been on the beach; around jutting points and along steep bluffs, where the stage road ran. The road was cut into the bluff-bank and fortified here and there in a rough way by a sort of crudely built retaining wall of cobblestones, which kept falling down at intervals, like Pleasant Reidrhood's hair. It was only used at the crossing of the points, except when the beach was rough or the tides high. At other times the hard-packed beach sand constituted a smooth driveway, when the back-bones of those undergoing the torture of thorough-brace springs were given respite from twisting, jerking and pounding. Leaving the beach they had followed along low, salty flats, lying between the ocean and the Coast Range of mountains which had been gradually creeping up close to the sea; then rounding another point and crossing a wide river-bed, over which, during the winter storms, a wild torrent rushed and roared,— carrying upon its breast branches and trunks of trees and debris from its ravaged banks down to the ocean; but through the center of which a hundred feet from either bank, there then peacefully flowed a little innocent-looking river, readily forded,— and had entered the small mission town, Santa Susana, the destination of Col. Morgan's party. From the town, through a fertile valley, they had followed up the river, until it had narrowed into a wooded ravine, which opened out at the portal of two higher valleys where the river wound around a miniature promontory on which stood an old ranch house, like a moat-fortified castle; from there across the river-bend up through a natural avenue of oaks and sycamores to the end of their day's journey, at a small frame house like a Swiss chalet, in a grove of trees, at the foot of the steep mountain-side, in front of which ran

a picturesque brook, in those days the delight of the trout-fisher. This was the home at that time of Herman's friend, Robert McFarland. A tall, long-legged negro, with a face as black as coal, came out and started to take the horses.

"Never mind, Jim," said Herman, "we will attend to the horses. I smell something cooking that it won't do to have spoiled, so you had better go back to the kitchen. Where is your master?"

"Mars McFarland, he took his hound dis mornin and went after deer, and de way de hound was bayin over dere in de mountains, he got somethin sho."

"That would be fine, Jim; my friend here, Mr. Macdonald would have a chance to taste some of your crack venison sauté at breakfast to-morrow."

Jim grinned and returned to the kitchen, while Herman and the Highlander put away the horses, washed and brushed under a tree, and then climbed a number of steep steps, to a little porch on which opened an office and the dining-room, and sat down and waited for the host.

It was not long before a sonorous helloa echoed through the cañon, which was returned heartily by the visitors. It was followed soon by the appearance of a horseman on a buckskin horse with a deer hanging across the pommel of the saddle, and at the horse's heels a hound who looked as though he could not take many steps more.

"Helloa, Herman! Ho, my gallant Scot! You should have been with me to-day and you could have sung with fervor; 'My heart's in the Highlands; my heart is not here; my heart's in the Highlands achasing deer.'"

"Indeed it wud hae done my heart gude to hae been wi you. It is a long time since I've been achasing the deer. We hae nane o that game on the Island, Mr. McFarland. What a fine dog; a true thoroughbred. If there is anything I ken, truly it's a fine bluded houn'." And Mr. Macdonald stooped down and caressed the hound that lay panting at the feet of his master who had dismounted.

"You are right; Truman is a thoroughbred, and an old hunter not half an hour ago offered me four twenty-dollar gold pieces for him, probably all the money he had. I will tell you about his doings to-day over our coffee and

cigars. Well, Herman, so you are thinking of running a cattle department in connection with your law offices. I hope it won't be a bull in a china shop. Here, Jim, come out and take charge of this carcass."

McFarland gave a shrill whistle, which produced a Californian boy almost instantly from out of the elements somewhere, to whom he consigned his horse, and then had resort to the wash basin and brush and was dressed for dinner.

The three men were received in the dining-room by a neatly dressed, sweet-faced, venerable lady, with snow-white hair, and gentle voice, whom McFarland introduced as Mrs. Turnbull, who was acting as housekeeper. She presided at the table with considerable ease and dignity. Jim had provided and served with a grin, a bountiful supper and one which would have charmed any Pennsylvanian or Marylander; "yellow legged chickens and white sop," and flannel cakes being the principal features.

The male partakers of the repast did it substantial justice, and the oftener they asked for more, the broader grew the grin on Jim's face.

After dinner the men retired to a little sitting-room, where, in a broad chimney place, a pile of logs were blazing; and, scorning cigars, lighted their pipes and, at Herman's request, Robert recounted the exploits of the day; and I only wish there were space in these chronicles for the graphic description. In a day's hunt the sportsman had brought to earth three deer which his wonderful hound had trailed to death; besides following the fourth until the sun went down and with it his remaining strength.

As Robert concluded his narrative, Mrs. Turnbull came in, and space was made for her in the circle about the fire. She sat down about six feet from the hearth, took from her pocket a huge, beautifully colored meerschaum pipe, filled it from a bag that would hold a pound of tabacco, struck a match on the seat of the chair, leaned back and sent out great volumes of smoke, every now and then spitting into the fire with a "tsit," striking any spot on the log aimed at, with the unerring precision of a corner grocery expert.

Mr. Macdonald sat with a look of wonder on his face.

Robert, with a glance at the Scotchman and a twinkle in his eye, said, "How long was it, Mrs. Turnbull, that you lived among the Indians?"

"We were in Arizona, with plenty of Apaches about us, for about five years, and in Texas, among the Comanches, for about ten years."

"Which, do you think, were the brighter tribe?"

"Well, the Comanches were the most artistic; they had the most beautifully prepared scalps of any tribe. They cured the skin so that it was perfectly transparent and shone like satin, and they would braid an old man's white hair in with a young man's black hair and a woman's yellow tress as tastefully as any artist could do it. I have seen a robe made of these finely cured scalps, with the different colored locks of hair festooned over it like lovely garlands. Then I think the Comanches have more originality in their tortures. I remember once, before they burned him at the stake, they took a white-haired old man, made him get down on his hands and knees, and drew a cinch lined with sharp flints as tight as they could around his stomach, put a Mexican bit in his mouth, and rode him around, at every step digging the spurs into his flanks."

Macdonald's gaze at the old lady as she spoke grew more and more intense, and his eyes bigger and bigger; and when she stopped, and, with a "tsit," put out a spark on a log, he exclaimed, "An did they never try to make a handsome scalp o the bonny hair ye hae yersel, Mrs. Turnbull."

"No, we got along very well. My husband was a doctor, and knew more than an Indian about herbs, and he trained in with their medicine men, and helped them out. He used often to give them calomel and asafœtida to mix in with their dried lizards."

As it was growing late and all had to arise early, good night was said, and the men walked out to get a breath of fresh air.

"What an estimable auld lady," said Macdonald. "I ought to marry her and introduce her to the gude auld dowagers of Perth, and hae her smoke her fine meerschaum, and spit out the sparks in the fire and tell her beautiful

Indian tales about the scalps and the rides on monback."

Jim, having finished his household duties, just then ran out from the kitchen, and danced a hoe-down on the road.

"Do ye think you cud run me a fute race for fifty cents?" said Mr. Macdonald.

"Sho," said Jim; "shars yer coin? Jes give it to Mars Herman to hole de stakes;" and Jim and the Scotchman handed Herman each a fifty.

"I dinna like to win your money," said Mr. Macdonald, "ye mus ken that I've taen mony a prize at a fute race."

"You can't beat dis niggah; de pataroles never could ketch me. Mars Robert, jes mark off de fifty yards, and start us off."

Robert quickly paced off the course, the contestants took their places and the word go was given. Jim flew over the course like a deer, and, reaching the goal turned around and looked for his competitor, and found that he had not started.

"That was nae start according to the law of the track," said the Scotchman, when Jim had come back; "ye shud hae got down on yer hans an feet before the word was given. It is the ony fair way in a short race like fifty yards."

"Well, I jes as soon run agin," said Jim; "I knows I kin beat you."

The two got down in the posture prescribed by Mr. Macdonald, and when the word was given, sprang ahead; and Jim again traversed the course like the wind, while the Scotchman made a scrambling clatter with his feet, as if making a mighty start, and stood still watching his sable rival.

"A fine quarter horse. If I tuk him along to Scotland wi that estimable lady, Mrs. Turnbull, I wud be the social lion o the day, an I'm sure the queen wud let go her favorite Tom Thumb, and sen for me an my family."

Jim returned, looking sullen, and said, "Yer jes foolin me, you didn't mean to run. You know it was no use tryin to beat a niggah dat had run away from de pataroles as often as dis niggah has."

"Mr. Thomas, ye can turn over the stakes to the lad.

I had noe the heart to beat him after the fine dinner he gae us, although I did eat too much, which gae me the pain in the stomach that doubled me up when Mr. McFarland gae the word to go."

## CHAPTER XX

### CHAPULE AND CHOLO

Just before starting the next morning, Mr. Macdonald and Herman stood looking at a band of goats, way up the mountain-side, browsing where it was almost impossible for a man to walk or climb. Jim, seeing them interested in the movements of these mountain climbers came up and said:

"Dem goats belonged to me. I raised em. I sold em de oder day to a stranger for a dollar and a half a head. He done tried to ketch em, and he had de impudence to come and ask me to deliver em. I told him he knowed nuffin about de laws of dis country; dat I sold dem goats on de hoof, and he had to ketch em himself. Yah, yah, he'd have to git a better buckquero'n grows around dis county. And what do you think Mars Robert done? He went'n bought dem goats back from de man, and told me I was a damned black scoundrel. Yah, yah."

Robert volunteered to accompany Herman and Macdonald and take a look at the cattle, of which he had a general knowledge from being present at *rodeos*. They were on a range in the hills about five miles from Robert's house. Their way lay up the river, quite different looking from what it appeared where at its mouth it flowed through its broad bed into the ocean; here, up among the mountains, it was a pure, clear, sparkling stream where the trout flashed in the sunlight and lay resting in deep-shaded pools. The stream led them through a picturesque valley, gradually narrowing until it became a wooded ravine. The range stretched from one bank of the stream up from where the valley turned to cañon; over slopes partitioned with cool shady ravines, into the mountains, and affording, in ordinary seasons, good feed for the cattle. The ride was an enjoyable one to the horsemen. They were full of life and spirits; the weather was cool and bracing. They

had been fortified with a substantial breakfast of venison and hot rolls, and Robert had furnished fresh horses, letting those of Macdonald and Herman rest for the ride that night back to St. Agnes. They joked and laughed, told stories and sang and shouted, and the Highlander said he had not met "Sic fine lads and gude fellows" since he left his native land.

Reaching a little eminence, they caught sight of the cattle, bunched in a small valley. The owner had caused all that could be gotten at without a general *rodeo* to be rounded up. They constituted the major part of the band and were sufficient to enable the experts to judge their character, condition and value. Everyone said and Herman himself knew, from his business intercourse with the owner, that his word could be relied upon as to their number and ages. He was a Basque of superior type; tall, splendidly built, with a face expressive of honesty and frankness. His name was unpronounceable, and he was called by everyone Bebeleche, or Milk Drinker. He received his name because of his fondness for milk and the quantities of it he drank. He always kept milch-cows, contrary to the custom of Californian rancheros, who let the calves do all the milking, and he was instrumental in introducing the luxury into the domestic economy of some of the progressive landed proprietors; more because of their desire to properly entertain Bebeleche than for their own gratification. When thirsty, Bebeleche would empty a great pitcher of this, his favorite refreshment, at one draught. Bebeleche was seated on his horse, at rest, with one leg over the pommel of the saddle, smoking a cigaritto and eyeing the cattle; occasionally addressing a word to one or the other of his two vaqueros who, mounted on shaggy haired, little mustangs, smoked and rested nearby. A few paces from where they stood was the dwelling house of the major-domo, a roughly constructed wooden cabin with two rooms, decorated with festoons of chili peppers, and in which were some cots with blankets spread on them. It was located in a shady spot near a spring. On one side the house was a large bowlder into which had been hewn a chimney-place; and ornamenting the rock were a frying pan and some other primitive cooking implements,

CHAPULE AND CHORSO

and certain little ashes-crowned pits around about indicated where a bull's head had been baked or potatoes roasted. The two vaqueros were in marked contrast with each other. One, called Cholo, was a fat, greasy looking native, with oily face, thick lips and sleepy eyes hiding under a hedge of shaggy eyebrows; his cheeks, complexion and taciturn nature, displaying the predominence of Indian blood. He said very little, and the few words uttered were accompanied with grunts; and he had a peculiar habit of blowing columns of cigaritto smoke from his nostrils, at the same time turning up his nose and giving a partially smothered snort. He was bow-legged from spending most of his life in the saddle. He was a good vaquero, doing his work without any sign of spirit or interest, with never a smile on his face. The other was a most curiously shaped creature. He was an emaciated little man, with long legs and doubled-up body, and a pinched face and small head, resembling a hickory-nut. His complexion was bloodless and had a queer light-green tinge on it. When he was afoot he seemed to hop rather than walk, and when mounted he leaped in the saddle with a motion eccentric to the horse's canter. Not unlike a grasshopper in looks, he went by the name of Chapule. He had, when a boy, followed around a Yankee peddler, who had struck the California cow-counties, and mimicked him, among other things, in his constant whittling and inveterate talking.

As soon as our friends came into view, they were spied by Bebeleche. and he rode to meet them. He welcomed Robert and Herman warmly; the latter with what seemed an affectionate kindliness, and, having been introduced, shook hands cordially with Mr. Macdonald.

"So you have come, gentlemen, to see the kind of animals I have offered to sell our young friend here. There stand all I could round up, and Mr. McFarland and you, Mr. Macdonald, can quickly tell what they amount to."

They all went down to where they were gathered together and rode around, scanning them critically.

"If there is anything you wish to know about them, I am ready to answer, and what I am ignorant of, Chapule, my major-domo, can tell you," said Bebeleche. Macdonald turned to Chapule and asked him concerning the feed and

water on the range. Chapule reached down to the ground, hanging to the saddle by one leg, picked up a stick, pulled out his knife, commenced to whittle, and let out a stream of words that appeared to overwhelm the Scotchman who looked at him, with blank amazement on his face. The faster Chapule whittled, the faster he talked; Bebeleche and Robert exchanging amused glances, and every minute Cholo, with a jet of smoke from his nostrils and a snort, exclaiming, "*Quiete, quiete, bruto.*" Finally, when Bebeleche thought it was time to stop the torrent, he lassoed with his bridle rein the stick out of Chapule's hand, whereupon his mouth shut as if he were stricken dumb.

"A wonderful country, a most wonderful country," the Highlander remarked, as if to himself, "and sic astounding people."

After viewing the cattle, they rode to prominent points on the range, and the boundaries were pointed out and the watering places examined. When Robert and Macdonald had gotten all the information they required, they told Herman that the animals were what they were represented to be and the value placed upon them fair; that he would be obliged, however, to make a success of the investment, to go to a further expense in getting a few well-bred bulls. They also said that he should be assured of the lease of the range for a term of years and make arrangements with a competent man to care for the cattle. As to the selection of a practical major-domo, Bebeleche said that he could recommend Chapule, whose volubility, he said, was never let loose on the animals or indulged in without an audience. Herman interviewed Chapule, with a view to obtaining his services; and after two or three torrents of speech from the latter, punctuated by numerous snorts and commands to "*Quiete*" from Cholo, and knocking of the stick from his hands by Bebeleche, an agreement was come to by which Chapule was to take the cattle and care for them for a share of the increase. Herman was to pay the rent of the range and advance the cash for what little provisions Chapule might require.

Our friends, the inquisition being over, accompanied by Bebeleche, went to call upon Señor Ordaz, the owner of the range,— a Gachupino, as were called those of the Spanish-

speaking population who had come from old Spain,— who lived at the castle at the bend of the river, which Macdonald and Herman had passed the evening before. Señor Ordaz was at home; as he had passed middle life, when all the rancheros of respectability were supposed to retire from arduous labor and thereafter smoke their cigarittos and drink their wine and aguardiente in their own *pateo* or under their orange or olive tree, except when they were on a visit to a friend's rancho. They were cordially received by the old Spaniard and his two daughters, and were ushered into the long, barely furnished living room, where, as was the custom of the country, the whole family gathered, and sat and watched the visitors, if they did not open their lips, until they went away. In this instance the family consisted of Señor Ordaz, his two daughters, an Indian girl and an unkempt-looking dog of unrecognizable breed. The girls greeted Bebeleche with friendly familiarity and immediately sent the Indian girl for a pitcher of milk. With the others, they were shy and more ill at ease than the town-bred señoritas of St. Agnes. Herman, with Robert's help, had no difficulty in getting a satisfactory lease from the Spaniard. While the negotiations were going on the Scotchman and Bebeleche were enjoying themselves with the young ladies, who, as if for mutual protection and encouragement, sat close together on a bench; and each had her hands in her lap, and her eyes on the floor, except when they gave sudden or furtive glances at the speaker, and then at each other. They understood English, and it did not seem to make any difference to them in what dialect it was spoken or what its grammatical construction was. They spoke it also, with a limited vocabulary and an attractive accent.

"Do ye hae mony sic fine looking lassies in this county as yersels?" said Mr. Macdonald.

"*Si*, Señor," said the oldest, "many more *hermosa* than we are," and she glanced at her sister and they laughed and looked down.

"A wonderful country, a wonderful country, I mus come doon here wi my bonny gray horse and the beautiful little mare I hae trained for the ane that wud be my wife, an my siller mounted saddle and bridle an my silk riata,

an catch an carry away ane o these fine lookin lassies."

"Oh, you would not need your riata," said the other señorita, "there are plenty here who are gentle, and if you were good to them, would go without lassoing."

"An how is it that sae handsome a mon as our friend Bebeleche is not married? Hae ane o you lassies a tether on him?"

"Oh, no," they both exclaimed, "he has a *novia* in San Francisco, a beautiful Spanish woman, and he cares nothing for us."

"Now, you know you do not tell the truth," said Bebeleche, getting up and giving each a tap upon the cheek, "you know that I care for you very much, and that I am going to bring down from San Francisco the two brothers of my *novia* to make love to you."

After a glass of wine from a cask that had evidently crossed the seas from old Spain, our friends said good-by to Señor Ordaz and his daughters and Bebeleche, and returned to Robert's house. They had an early supper and started just before sundown across the mountains, by a picturesque pass, to St. Agnes. It was a bright, beautiful night. The moon was at the full, and cast a weird charm over the landscape. It crowned with silver the mountain crests and crags, poured a flood of light on mesa and valley, and hung over the woods a brilliant lantern with quaint lattice work screen, turning trees and rocks into grotesque, ghostly forms, and casting on the ground around and about them and across their trail before them, swaying, goblin shadows, which seemed in the wild dance to mock them; and when the cañon's walls narrowed and the trees shut out the sky, it hid itself with its magic light and the darkness was deeper and denser from the contrast. In one of these darkened spots they were descending a steep trail, the Scotchman in the lead, when he suddenly called a halt. He had encountered a wide crevice across the trail at the bottom of the ravine, cut by the winter's rains. He prospected along the bank, the dirt and stones rattling from under his horse's feet down into the gulf, and finally gave a shout, and his horse a tremendous leap, and he was scrambling up the other side. Herman could see nothing, but gave rein to his horse, who followed the trail of the

Scotchman's beast; and at the brink of the chasm, gathering himself back upon his quivering haunches,— Herman adding to the impetus by bending forward in his stirrups,— gave a great bound and barely reached footing on the shelving bank.

"Weel done my lad, weel done. It is a gude little beast ye hae; not as lang bodied and legged as mine, but wi a fine spring to him, and a deal o pluck. I mus say I felt nervous about ye when you tuk the ditch."

The trail from there wound up a steep mountain side until they reached the summit, and then ran along the crest which grew narrower and narrower until it became a bridge where two horses could with difficulty pass, with steep precipices on either side, stretching down hundreds of feet. The moon here shone in all its glory upon a great panorama of mountains, cañons, hills, valleys and woodland and deeply impressed were both the travelers with the solemn grandeur of the scene; and every now and then the Highlander would exclaim, "Ah, this is real Heeland like, this is real Heeland like." At about the center of the narrow bridge, Herman's horse suddenly commenced to buck. He was a few paces back of the Scotchman who was about to pass a spot where the trail broadened out a little and where a scraggy scrub oak on either precipitous edge had unaccountably sprung up. Herman dug his spurs into the animal which sprang forward to the flanks of the Scotchman's horse, and holding by the mane he slipped down on one side, calming the animal with his voice. He found the girth had become loose and the saddle had been slipping back, thanks to his own carelessness,— as he mentally exclaimed,— for letting Jim saddle up, instead of doing it himself. The saddle put right and the cinch tightened, they again were off, and no further incident occurred to make more eventful this moonlight ride.

"Ye need nae thank me," were the last words of Mr. Macdonald that night, on parting with Herman, "for going wi you to luke at the cattle; for I had a gran time mysel, an ane I'll nae forget. You mus come soon to the Islan an I'll try to amuse ye; an dinna forget, when ye gang to luke at yer cattle, to gie my love an respect to that estimable auld lady wi the meerschaum pipe."

## CHAPTER XXI

### A MUSICALE AT THE MORGAN'S

THE evening the Misses Morgan had selected for a musical entertainment at their home had arrived and had come in a most gracious mood. The sky was cloudless, the air balmy; a gentle breeze from the ocean fanning away the remnants of the afternoon's heat and stirring the leaves of the trees; and the moon, just past the full, came out not long after the twilight, lighting the way for the fashionable guests, and causing the romantic ones to loiter in its charms. The assemblage was a cosmopolitan and unconventional one. No formal invitations had been sent, but the friends and acquaintances of the Colonel and his daughters who were fond of music had been personally asked by one or the other to take part in the divertisement as performer or listener. A spirit of ease and good fellowship prevailed, and only Mrs. Stanley and her son seemed unable to drop all thought of self and mingle freely and without restraint with those present. The Baron and Madame Municheisen and their little girl had dined with the hosts; and that afternoon there had been a rehearsal by the Misses Morgan, the Baron and Sigismund of a few concerted pieces to be on the evening's programme, including the song Herman had written for Martha, for which the Baron and Sigismund had composed the music.

The Colonel, with pleasure and benignity lighting up his face, moved about among his guests, greeting them with gentle words and tendering a cordial welcome; and Martha and Anna, in simple summer gowns, were handsome pictures of refinement and grace.

The doors and windows were open, and the moonbeams crept up to the threshold, and the dancing shadows kept time with the music; and the mystic chorus of the summer night's choir piped and chanted from hidden recesses, blending with instrument and voice, and bearing their notes out,

away into the distance, until they died out in the universal harmony of nature's diapason.

Of course, Capt. Seymour was present, and ready for action. Herman had caught him that afternoon deeply interested in a collection of choice selections from different authors, among which was "The Lady of Lyons." He was evidently refreshing his memory about the "perfumed light from alabaster lamps"; Herman having told him that his Bulwer was a little astray. Dr. Barton and his guitar, John Stuart, Dr. Vanderpool, Judge and Mrs. Freeman and Mr. and Mrs. ap Williams, were all there. There were also some young ladies,— two of the old Spanish family, handsome brunettes,— and a stylish, bright and merry country girl, named Nellie Hatherton, the daughter of an American ranchero, who was ever ready for a wild ride on horseback or an innocent flirtation. Two English friends, a Mr. Temple and Mr. Bucknill, in from their ranchos, prepared for an enjoyable time,— away from their family of vaqueros, their dogs and cattle,— among their equals in culture and refinement, were also present. Poor Joe, with his beautiful, plaintive, pleading tenor voice, was one of the invited ones. One of the late arrivals was a gentleman of about the size of Mr. Latour, and when Herman first caught sight of him, he was startled at the resemblance he bore to the tenor, Schnorr von Carroldsfeldt. He was slightly bald, with frosted blonde hair and beard and refined features. Col. Morgan introduced him as General Donaldson, an ex-general of cavalry in the Confederate army; a friend just come to St. Agnes to make it his home. He was an officer in the U. S. Regular army at the outbreak of the Civil War, and had gone with his state when it seceded. His present profession was that of an attorney at law.

The concert commenced with an opus of Haydn for violin, cello and piano, played by Sigismund, the Baron and Martha, with skill and expression. Sigismund had evidently genius, and interpreted on the violin the soul of the great master, and his *coup d'archet* was perfect. The Baron played with great sweetness and feeling, and Martha showed a thorough comprehension of the motive of the piece, admirable training and wonderful expression.

The audience was delighted, and applauded enthusi-

astically; to which Mr. Sigismund responded in a rapid series of graceful bows, a flourish of his bow to the other performers to be prepared for action, and then started the Beautiful Blue Danube, and played it with such delicate, languishing sweetness, and such perfect time (Martha and the Baron accompanying), that the young people sprang to their feet, formed into couples, and in a moment were gliding about the room and out in the moonlight in rhythm with the measure of that most seductive of all Strauss' waltzes. Stanley, with the ease and polish of a veteran of the ball-room, had, the instant the waltz started, led out Anna, and charmed her with his perfect step. Capt. Seymour had evidently started to invite Anna; but seeing Stanley had been too quick for him, turned aside *en route* and offered his arm to Miss Hatherton, and they were equally enthusiastic with the other couple, if the Captain's movements were not as polished as Mr. Stanley's. The waltz died away in a round of bravos, and was directly followed by poor old Joe, who sang "Sally in Our Alley," with a touching sweetness that made Col. Morgan wipe his eyes and blow his nose, and the rest sit enraptured. As an encore he started up the old familiar negro melody of "Dulce Jones," nearly everyone present joining in the chorus.

"Now, Mr. Stanley," said Anna, "you must play something; your mother tells me you are quite a performer upon the piano."

"I am anything but an artist," he said, "but I am pleased to do anything Miss Anna commands," and without further parley he sat down at the piano and played with brilliancy a concert piece, showing a thorough knowledge of technique, without a spark of feeling.

He was complimented upon his execution, but, strange to say, was not encored.

Next followed Herman's song, and the deep rich tones of Martha's mezzo-soprano voice carried with them a world of tenderness. The refrain composed by the Baron was exactly adapted to her voice, and the obligato of violin, cello and piano, arranged by Sigismund, was that of an inspired musician. These are the words of the sad-toned lay:

The mist has veiled the mountains,
And muffled are the fountains
In their lay;
And my heart is drear with sighing,
And my witched thoughts are flying
Far away.

The sky, in rumpled creases,
Is draped with gray wool fleeces,
In mourning dyes;
And my soul 'neath clouds of sadness,
Uncheered by sunlit gladness,
Prostrate lies.

On the shore the surf is seething,
With a sigh the ocean's breathing,
Wakes and sleeps;
And my bosom, Ah! so weary,
Nursing phantom forms so dreary,
Throbbing, weeps.

The doves, with mournful cooing,
Wakening grief, and sadness wooing
To woodland strain;
Conjure voices, chanting weird,
To this spirit sorrow-seared,
In wild refrain.

Heavenly spirit break the wand,
Witching sky and sea and land,
Setting free
Sunshine, smiles and songs of glee,
And the spell-bound soul, too, free
Of mournful me.

Herman, during the ballad, stood outside leaning against the doorway, his imagination carried away with the sweet, sad air, the plaintive accompaniment, and the depth of feeling in Martha's voice; and the thought that she was pouring out in song his own inspiration. And it seemed to him that they were being drawn together by some spirit of harmony, and a longing came into his heart to have her life in some way woven into his own. He went in and thanked her and Anna,— who was an excellent accompanist on the piano,— and his friends, the Baron and Sigismund.

Turning to Martha, and speaking in a subdued tone, he

said, "Miss Morgan, the sentiment and feeling with which you inspired them transformed my lifeless lines to a divine creation, and you have spoken very tenderly to my heart."

"I fear that you are in a romantic mood, when you would be bewitched by a sweet melody in any spot from any lips. But I like the words, and had they not some charm, I could never sing them with feeling, and I thank you for the great compliment of writing them for me."

There were a number of other musical treats; Anna and Madame Municheisen and Dr. Barton and John Stuart contributed to the entertainment, and everyone seemed blithe and laughed and talked and enjoyed themselves.

Herman, to indulge in a few moments' revery, slipped out into the garden and quietly walking to the corner of the house, caught sight of Sigismund and involuntarily shrunk back. He was leaning against the brick wall,— his violin and bow grasped tightly in one hand and the other clutching his hair; and his face was drawn and pinched as if in the agony of despair.

"My God, my God," he muttered, "why cannot I conquer this demon of wild unrest, this cursed devil that leads me on and on? Why cannot I stop somewhere — in this lovely spot, in the air of refinement, with warm hearts about me, and be at peace?" Suddenly he discovered Herman, and his face resumed its accustomed expression, and with a devil-may-care mirthfulness, he put up his violin, and played a serenade Herman had never heard. Gipsy-like in its wildness, with a marvelous delicacy and brilliancy of touch, the notes seeming to dance and sparkle and to join in a mystic minuet with the frogs and insects, and ending in a wild strain like the cry of the banshee.

A simple supper was served in the open air, and some of the guests sat and chatted, sipping an innocent cordial or smoking; and some strolled about the grounds. Mr. Stanley seemed to have monopolized Anna, and Capt. Seymour found solace in the vivacious Nellie Hatherton; and Herman, as they passed along a neighboring shaded walk, heard the words, "perfumed light" and "alabaster lamps."

Mrs. Stanley had been conversing with Col. Morgan and

had gone off for a walk with General Donaldson, leaving the Colonel with clouded brow. She had been talking about the superstition of the country and the ignorance and hypocrisy of the so-called religious element in society; and, supposing that in Col. Morgan, a man of the world, she had,— if not a sympathetic,— an interested listener, had given vent to her agnostic ideas. She had evidently read a great deal on the subject, quoted from Voltaire and Rousseau and Tyndal; and Huxley; and ended by saying, "I have brought my son up without a creed or catechism or religious teaching; and have trained him intellectually in gentility and morality, and pointed out to him the disgrace attendant upon the violation of nature's laws and society's code of behavior. And as mind and reason have been made to comprehend this, they will control what vicious impulses there may be, with far greater surety than blind superstition."

Col. Morgan had simply said, "I am an old-fashioned man, Madame, and probably not up in the modern philosophy; but the sacred things of life are much to me, and I believe that the early impressing of them upon the human heart is the greatest of all safeguards against the temptations and evils of the world."

The cloud quickly disappeared from his face when he felt a little hand slipped affectionately into his and heard a sweet voice saying, "Why does Grandpa Colonel look so unhappy? Has anybody been naughty?" It was the Baron's little girl who was very fond of the old gentleman, and who had crept into his heart.

"No, no, little midget; nobody has been naughty tonight; and especially good has been my little friend. But you know, if a little girl must sometimes cry, an old man's face cannot always have smiles."

"Grandpa Colonel, does that gentleman that just went walking with the lady who has been talking to you so long, come from the same country as our girl, Gretchen?"

"Why no, Midget, he is an American and Gretchen is a German."

"Well, I think Gretchen's clothes would just fit him."

"Run away, you minx, I am afraid you are naughty now,"

and off she bounded to have a romp with Sigismund; a mischievous smile on her face, and kissing her hand to her mother and father as she passed them.

Not long after midnight the party broke up, with sincere expressions of pleasure from the guests as they said good night to the Colonel and his daughters.

## CHAPTER XXII

### A CAUCUS AT THE WIENERHALLE

HERMAN had not been neglecting Señora Valenzuela's case. It is true he had done nothing towards preparing testimony for a suit against the despoilers; but the matter of procuring the patent, first thing to be accomplished, was progressing nicely. Judge Freeman and he had been retained to secure a patent to the Pueblo lands of St. Agnes which had been confirmed to the Mayor and Common Council of the City of St. Agnes,— the then title of the municipality, by act of congress,— and confirmed to an area of some sixteen thousand acres, which had been selected and finally surveyed in a belt form, stretching along the sea shore, about twenty miles in length, and comprising the fertile lands at the foot of the mountains. The right to have patented any Mexican grants or concessions other than those to private individuals had been questioned; but the final decision was reached that the lands held in trust by the municipality, the successor to the Mexican pueblo, were the subject of patent, as well as private grants; so that all required was to get the Department of the Interior to act. This facilitated and made less expensive the procuring of the patent of El Roblar Viejo Rancho, as both matters could be attended to by the same attorneys at the capital. He had just received a letter from Washington advising him that as great progress, as red tape would permit, was being made; and that the patents would soon be issued.

The time had come to give serious attention to political matters. The primaries were soon to be held, and if Herman hoped for the nomination as district attorney, delegates were to be chosen who would not be pledged to his opponent from Missouri.

About a hundred yards above the St. Louis Hotel, Main Street was obstructed by a long one-story building facing the ocean which stretched across its entire width; and back

of it, running for a block up to the next cross street, on the right or north-east side, was a row of low, shallow buildings, fronting upon a narrow thoroughfare, with sidewalks like those of an ancient continental town, that had been given the name of "Nigger Alley." On the one side of the alley were a string of shops and offices, including that of a venerable Justice of the Peace, originally from Mississippi; and on the other, private houses of the poorer classes of native Californians; some not of the most respectable. The house in the main street was occupied by a German as a lager beer saloon and dwelling house. He had a couple of large rooms for the accommodation of his customers in which were beer tables and chairs in number sufficient to supply the requirements of quite a large congregation on holidays and special occasions, when he was sure to be well patronized. It was a quiet, orderly resort, where little else than beer and German wines were dispensed, and was never frequented by the politicians, gamblers and sporting characters who were the customary loungers of the American Hotel. The proprietor was a short, muscular man with a round head and invisible neck, who was either moving about in spasmodic spurts, or sitting the picture of inert stolidity, absorbing the news from some German periodical a couple of months old. In these quiescent moments, he would suddenly be impressed with the idea that there was not enough beer on tap to satisfy the accruing thirst of his guests; and throwing the journal into a corner, he would dart to the end of the counter, where the full kegs stood, whisk one out to the center of the room, seize a spigot and mallet, and with his legs wide apart and dancing on his toes, putting the spigot on the plug, he would deliver a series of little taps until his sensitive and experienced hand felt the plug about to make its exit, when, with a mighty blow, he would send the spigot home with a quash, before the precious fluid had time to escape. When he was sober, which was the greater part of the time, he was quiet, peaceful and gentle in his address, and delighted in talking of his life in the mines; but when he exceeded his customary allowance, he was obstinate, contentious and bellicose, and would stand, with dilated eyes in front of the one with whom he was disputing, leaping before

him which ever way he turned, his arms glued to his sides, and emphasizing his words by dancing up and down. Wienerhalle, as it had been christened, was a favorite lounging place on dull evenings for Sigismund, Dr. Vanderpool, Capt. Seymour and Herman, where they could have a quiet chat and an innocent game of pedro.

It was here, on a midsummer evening, that a number of Herman's friends had arranged to meet him and plan for the campaign. They were pretty sure of not being intruded upon, and Hans Hœfling, the proprietor, was discretion itself, as well as being Herman's true friend. The hour fixed for the meeting was eight o'clock; but it was a quarter past eight when Col. Morgan, the first to arrive, put in an appearance, and afterwards the others came straggling along until nine o'clock, when the council began its business. At St. Agnes, and indeed, throughout Southern California, about a half-hour leeway was always given to keep an appointment. This, and the universal habit of procrastinating, or putting off everything to be done until "mañana," was at first quite perplexing to Herman who had been trained in a New York law office to meet engagements at the moment of the time set, and where failure to be on hand, lost the appointment. In fact, in this land of "go when you will and do as you please," appointments were like due bills, to be met if, and when, convenient. Herman already had personal experience in this characteristic of the native population. A Señor Calderon had been sent to Sacramento to represent the people of his county in the state legislature as member of the Assembly. During a session of this body, a piece of legislation which would have been extremely detrimental to the county was proposed, and Herman, with his friend, Robert, had been delegated to go to the capital and defeat it, if possible. They called upon Mr. Calderon and discussed the matter with him, and desiring to display their hospitality and good fellowship, invited him to breakfast with them and the member of the senate at noon of the following day. The noon hour arrived and a few moments later, the senator, who understood and obeyed social obligations, and who some years later became governor of California, appeared. There were no signs of the assemblyman. The party waited, not without

impatience,— for the nourishment of the morning's cup of coffee was fast disappearing (besides, Herman had ordered a special repast),— until one o'clock, when they proceeded to breakfast without him. That evening Herman met Calderon and remarked that they regretted he was unable to be with them at noon, to which he replied, "Oh, I was not hungry."

There were finally present Col. Morgan, Capt. Seymour, Dr. Vanderpool, Judge Freeman, Sigismund, Don Ygnacio Vallejo, a Spaniard of intelligence and education, and a friend of Señora Valenzuela, connected by marriage with the old Commandante family, but differing from them in politics, he being Republican; Dr. Barton, who was not much of a politician, but dictated the votes of a number of *parientes;* Herr Lasalle, the sheriff of St. Agnes, Mr. ap Williams, and a well to do Basque, named José Maria Najalayaegua, who had come to the country years before, with his friend, Dr. Victor Ustasaustagui, and conducted the principal store in St. Agnes, besides owning considerable real estate. By reason of the trade he was taught at the foot of the Pyrenees, and the difficulty in pronouncing his name, he was generally called "*El Sastro,* The Tailor." His friend, Dr. Victor, had grown rich in another part of the county, and both had taken a fancy to the candidate for district attorney, as well as being urged to his support by their fellow countryman, Bebeleche. El Sastro was a short, rose-cheeked, smooth-faced man, with a large head crowned with a mass of snow-white hair. His fingers, never idle, were perpetually rolling cigarittos, which were like matches and disposed of in a few whiffs. He spoke English with a crisp accent hard to describe and difficult to understand, and always commenced a sentence in English or Spanish, with a nervous exclamation, like the spit of a locomotive when starting, "etty, etty, etty;" at the same time balancing from right to left on his heels. After a glass or two of absinthe, he was a most voluble talker and loved to discourse (tears coming to his eyes), of his noble progenitors, from somewhere in Basqueland, who were princes and heroes and patrons of art; and Don Quixote had not a higher sense of legendary chivalry than El Sastro. And he himself was a hero. He was the only man in the country known to

have cowed the desperate highwayman, Jack Powers. In the early days before El Sastro had become prosperous when he lived by his trade, the brigand had ordered a suit of clothes of him. When they were finished, Powers made a protest against the fit, saying that they were made from a sheep-herder's pattern, and refused to pay the bill; when El Sastro unlocked his legs, leaped from the counter, and made for him with a huge pair of shears, shouting:

"Etty-etty-etty — you no pay I cut — estomach-out."

Whereupon the astounded highwayman,— whether from dread of the monstrous weapon or overwhelmed with the tailor's assurance, threw him down three twenty-dollar gold pieces, ten dollars more than the bill, and fled.

Mr. Macdonald was not on hand; he could not leave the Island. And he had said to his chum, Mr. ap Williams, who was returning to the mainland after a visit to the Highlander:

"Tell the boys that I am like the centurion, I tell my shearers and vaqueros to gang and they gang, to come and they come to vote for this mon and they vote for him; an diel a mon o them will disobey orders, for they ken my Scotch blude."

The sheriff was the most experienced and practical politician in the number. He was a candidate for renomination before the Republican Convention, which, different from the policy of the other candidates who were looking out for themselves, did not prevent his being ready to openly further Herman's candidacy. He was a manly, outspoken, fearless character, and always made his fight in the open. He stated the situation as he, to use his own expression, sized it up. In the first place the present incumbent of the office had several advantages; he made the fight before and was familiar with the ground; he was in, and this was always a considerable percentage of advantage; so far as the nomination was concerned, he would have the squatters almost to a unit in his favor, though the larger part of them were democrats; he would also have the saloons and sporting men. All this would have to be overcome from the conservative part of the population, the land owners and the native Californians. The sheriff was willing to stand his chances with delegates that would support Herman.

Each one of those present controlled a certain element, and could insure a certain number of votes, and the manner of making this influence efficacious was fully discussed. A number of names were selected for each precinct, the lists to be weeded out and perfected by the executive committee, after a thorough canvass. An executive committee was chosen, made up from those present and other practical workers.

"Etty, etty, etty,— Bebeleche fine man, *muchos amigos,*" said El Sastro, "he be republican, democrat as his friends wish, vote republican primaries this year."

"A most wise suggestion, Señor Sastro," said the sheriff; "he is an old friend of mine, and can be elected as a delegate, without difficulty. Indeed, no candidate would dare make an open fight against him."

All were of the opinion that the ticket should be quietly gotten up, after the sheriff's ascertaining from other candidates the names of delegates they would propose; adopting such of them as would not be antagonistic, and not disclosing Herman's candidacy until the last moment. They had about concluded the conference and Col. Morgan and two or three other early retirers were preparing to go, when, "tap, tap, tap, quash" came from the adjoining room, and reached the quick ears of Capt. Seymour.

"Stop, gentlemen," cried the Captain, "keep your seats, a fresh tap, we will drink a stirrup cup to our friends, the candidates," and he immediately ordered the glasses to be replenished. The proprietor was asked to join in the parting salute, and Herr Lasalle who had noticed that he had been exceeding his limit, and desiring to have a little sport at his countryman's expense, after the stirrup cup had been emptied, said "*Noch eins,* Hœfling, to the memory of our mining days."

Herr Hœfling was only too willing to respond; the final glass stiffening his person and starting his eyes staring.

"What is this story that old Witte tells of your having to get out of Redman's Gulch mining camp inside of an hour?" said Herr Lasalle, turning around his chair and facing Hans; and, as the conversation went on, moving his chair to the right and to the left, causing the irate proprietor to leap from side to side, so as to confront him.

"Me had to leave camp, me had to get out in an hour? *Donnerwetter;* no mining camp ever served walking papers on me; it's a lie, a verdant lie, und Witte is an old Frau mit a lying tongue," and Hans danced up and down with his arms pressed to his sides, a beer glass in each hand.

"Well, never mind, Hans, never mind; old Witte got it wrong, I always heard you left camp because when you struck a paying claim you were not strong enough to work it."

"Not strong enough to work it? *Donnerwetter nochemal!* When I was in die mines, nobody could handle a pick better than me, und I could do more work in a day than you und George Hearst put together, even if I didn't get rich.

"I have no doubt, Hans," said Mr. ap Williams, "you were a pretty fair miner, but you will have to admit that no German can come up to a Welsh miner when it comes to wielding a pick and shovel, and lifting rocks. I knew miners in Wales, any one of whom would dig out and roll away bowlders weighing half a ton the same as you would tap a fresh beer keg."

Hans darted in front of the Welshman, his face red as a beet and his eyes nearly starting from their sockets.

"A pretty fair miner you say: there wasn't a better miner in camp than I was, und no Welshman ever was in die mines that I couldn't lay out when it came to a day's work."

Here El Sastro broke in, "Etty, etty, etty, why talk so much about mines. Etty, etty, why get mad about dirty holes you dig in ground. Etty, etty, my family, fine family, noble; never dig holes in ground; big soldiers, princes, heroes; write fine books, paint beautiful pictures; all dead, big funerals, fine coffins. Etty, etty, etty, me only one left," and here El Sastro wept.

"Hans, stop your snarling, and take out those glasses, and bring in a schooner to dry El Sastro's eyes or I'll arrest you right now," said the sheriff.

Hans stared at him a moment, the sheriff keeping a stern visage, and concluding he might be in earnest, went out without a word and returned with the schooner for El

Sastro, whose grief was for the time assuaged, and who submitted to being piloted home by Mr. ap Williams.

The council dispersed, and, it being yet comparatively early, the sheriff, Sigismund and Herman strolled down to the American Hotel, to see if anything of interest was going on in this, the Fifth Avenue Hotel of St. Agnes.

The scene was a lively one. The long bar was lined with people; an interesting game of pin pool was in progress, in which the county clerk was reaping silver dollars and honors. The room was filled with loungers, professional men, shop-keepers, rancheros, vaqueros, shearers, and strangers, arrived that evening on the steamer *Senator;* and the card rooms were in full blast, as shown by drinks carried into them from the bar. At the small carrom billiard table, Walter Stanley was playing with one Herman had never met. As they entered, the sheriff's quick eye had singled him out, and he remarked to his companions, "A new sport. Must have come on the steamer."

"Yes, and the worst that has ever put in an appearance at St. Agnes, or I'm no judge of man and devils," said Sigismund.

Stanley bowed coldly to Herman, and his companion gave him a glance which was prolonged into a stare; and turning to Stanley, asked him who he was.

"I know him very slightly; that he is a young upstart of a lawyer is all I can tell you; and that I don't like him."

Herman had looked at the party closely, as he passed, and could not resist the impulse of turning every few minutes to glance at him; and each time caught the other's eye fixed upon him. He was a man not unlike Stanley in height and build, with light, thin hair cropped close to his head, which was bald on the crown; and chalky complexion, spotted with leather-like white blotches; a hard, expressionless mouth and cold, bleached-out, protruding eyes. He had a deliberate, snake-like way of moving about and carried his billiard cue under his arm, where he always held his cane; and never was without a cigar in his hand or in his mouth. His voice was as cold and hard as his mouth and eyes, and was pitched at an inflexible tone. He was of a type that Herman had often seen in New York standing in front of saloons and gambling places; but, somehow

or other, he interested him in a curious way. He and Stanley together seemed to equally absorb Sigismund's attention,— more, as one would think, as a psychological study than anything else,— and his interest was intensified when a third stranger joined them, a medium-sized man with blue-black hair and beard, flabby cheeks and hang-dog expression, clad in a black cloth suit with long-tailed coat, and musty looking silk hat, saluting them as he came up with, "Ow are you, pals, and ow are you, Buckley, hafter the trip on that beastly boat? But I ad a jolly go to cheer me hup. You see my wife is a beastly, frog-like, cold-blooded thing, and she turns hup er nose at my friends and hobjects to my bringen them into the cabin to take a drink. So I says to myself, I'll settle the ag and ave some fun. Now if there is hanythink she ates it's gin and the smell of it makes er hill. So I gits a bottle of gin and I ave my friends one hafter the hother take a glass hof it to er in the cabin where she is lying down with a eadache, with the compliments of er husband. At the third glass she jumps hup and runs to the side hof the ship, and she was hill all the rest of the way and they ad to carry er down the gangway."

And he burst into a loud guffaw, his big mouth opening like a cavern, and his tall hat shivering as if struck by an earthquake. Our friends looked at each other with disgust on their faces; and Sigismund, who had his back to the pool table, in a remarkable way tripped suddenly and, falling against the table, as it appeared by accident, whisked one of the balls off on the floor, sending it between the feet of the cockney; and following it with lightning speed he darted under his legs, caught the ball, and rising suddenly, with the trick of an acrobat, threw the brute over his shoulders, sending him head foremost through the glass door; landing him in the stomach of Gen. Peters who was just about to enter, telescoping the cockney's hat over his ears and depositing the General's yellow plug in a passing night-cart. A great roar of laughter went up, and ap Williams who had just come in, caught up Sigismund, planted him on his shoulders and marched around the room, followed by the crowd, singing, "John Brown's Body Lies A-mouldering in the Ground." The chorus stopped, as the

sheriff's sonorous voice arose proclaiming drinks for the crowd; and Mr. ap Williams deposited the hero on the billiard table, where he bowed his acknowledgments with the grace of a prestidigitator, and then leaped to the floor over the head of the Welshman.

"Damn you, sah; what do you mean by running your head into the stomach of a gentleman, sah?" came from the shattered doorway. And Gen. Peters and the scratched and bruised and disheveled cockney came into the room. The latter paid no attention to the wrath of the General, but went up to where Sigismund was standing, his eyes glaring and the blood trickling down from the cuts in his face; and shaking his fists, bellowed, "It's a houtrage, it's a bloody houtrage; you did it purposely, I know you did. It's an 'ell of a houtrage, and I'll make you pay for it."

"Shut up that ugly mouth of yours, or I'll jail you, as sure as I stand here;" and the sheriff caught him by the back of the neck and shook him as a terrier would a rat.

"You'd bether run him in anyhow, sheriff, dear," said the burly Irish baggage man, "I heard him swearing like a blackguard at his sick wife when they came from the steamer."

The sheriff, releasing his grip on the cockney's neck, said, "Look here; you're a stranger and I'll give you a piece of advice. Don't you blackguard any woman in this county, even if she is your wife; or some night you will be marching under guard of a delegation of our citizens, with a rope around your neck, to a tree near here where they hang horse thieves and women-beaters."

The much injured fellow sneaked off, without a trace in him of the fun he had on the boat; Stanley and his friend Buckley taking care to be far enough away not to be addressed by him as friends.

As soon as the sheriff's toast to the hero of the evening was drunk, our friends slipped out and retired, satisfied with what of profit and entertainment the evening had already afforded.

## CHAPTER XXIII

### THE ORPHANS' FAIR

WHEN St. Agnes was a Mexican Pueblo, the governing body, the Ayuntamiento (which was vested with the prerogative to grant to citizens the pueblo lands for residence purposes, cultivation and commons or pasture) disregarded anything like accurate description in their grants. A pivotal monument, such as a house already occupied by the grantee, without title, was named, the number of varas given, and the shape sometimes designated; and the grantee was allowed to swing the lot in any direction around the pivot, provided it did not run into improvements of some other grantee. Often the location would be designated as lying in a certain direction from the *solare* or residence lot of Don ——; sometimes between the *solare* of Don —— and Don ——. The exact boundaries were supposed to be fixed by the Syndico, or Mayor, by what was termed an Act of Juridical Possession. No records were kept of these acts, so far as the recording of actual measurements; and as few lots were enclosed, and if any stakes had been set they had quickly disappeared, it was impossible to know where the boundaries were. When the Pueblo passed under American dominion, comparatively little of its four leagues of land had been granted. The grants had been confined principally to *solares*, or residence lots, to actual occupants within the inhabited part of the town. Some *suertos*, or sowing lands for gardens, vineyards and orchards, and a few *ejidos*, or commons for pasture use. Shortly after the advent of the Americans a surveyor was employed to lay out the town in streets and blocks, and set stakes at the corners of the blocks, for a compensation that could not have paid the labor of half the work. The surveyor took the main street as a base line, established an initial point, and platted about four hundred blocks one hundred and fifty feet square, and streets bounding

them; two running at right angles eighty feet, and the others sixty feet in width; and the plat was adopted as the official map. He set stakes in the settled portion of the town and around the neighboring blocks; but none were ever discovered in the outlying parts constituting the greater portion of the city and where there were few if any houses. Those stakes he did place, which were small, unmarked redwood sticks, were moved by lot owners to any places they desired; others were used to hitch broncos to, were pulled out, and never replaced (at any rate, in the same holes they came from), and others were gathered by the native children for firewood. In the platting of the new town no consideration was and none could be paid to where the old grants with buildings on them were located; but the streets on the map lopped off parts of enclosures and ran through houses and plantations, necessitating the exercise of eminent domain on the part of the city when it came to open some of the principal streets. A number of the most important and most substantially built houses stood wholly or partly in the streets. Land was of little value at that time and there were few disputes as to boundaries. But as the settlers grew numerous, litigation sprung up in reference to property lines and it became a source of profit to lawyers, Herman among the number. Some of the old residents, holding Ayuntamiento grants, had taken the precaution to obtain from the city deeds of blocks and fractions of blocks embodying the lots on which stood their improvements. This course had been pursued by the descendants of one of the old Spanish families who had thus secured title to a considerable area about their mansion, a large, commodious adobe building, with corridors facing a spacious *pateo*, and hardly eclipsed by the old Commandante residence. It no longer served the purpose of a family residence, but was in the nature of a public building; the post office being in one corner, and others of its rooms used as offices, storerooms and lodging apartments. The *pateo* had been boarded over and the corridor facing the entrance turned into a stage, and it was there that were held the theatrical entertainments, concerts, bazars and balls, a great canvas stretched over the court serving as movable roof.

The post office was presided over by the little French military man who had planned the lassoing of the American ships, and was as favorite a resort as a corner grocery in a western town. Any visitor, whether resident, ranchero or stranger, could scan the mail and pick out what belonged to him; and as the women of the community wrote and received few letters in those days (indeed, only the privileged few being able to read or write), and the men had nothing to gain from the inspection of another's generally unimportant correspondence, few, if any, epistles got into the wrong hands. Newspapers and periodicals were common property and were frequently read and their contents discussed by the loungers before they met the eyes of the owner. The postmaster was a fair scribe, of an accommodating nature, and frequently indited or addressed letters for the unskilled. With the utmost seriousness and nonchalance he would transcribe the fond and florid expressions of a giggling girl to her *novio;* and opening and closing such epistles always with the same strict formula of epistletory etiquette he resorted to in his official and business communications: "My honored and respected Sir," or "Madame, accept the exalted appreciation and assurance of the humble homage of your most obedient servitor."

To Herman there seemed an air of pathos about the little old man, with his pinched features, long gray hair and whiskers like the wings of a gray butterfly. When he was not postmaster he always had some petty office such as assessor, collector, or deputy, which brought him ready money enough to keep his Spanish wife and large family from starving; while he embarked in all kinds of visionary schemes, to carry out which he mortgaged the lots the town trustees had generously bestowed upon him, and that inevitably yielded him nothing but the mortgages. He fancied Herman (as in fact did all those who had strayed to St. Agnes from across the waters), not only because he was familiar with their native land, but because he had the gentleness of address that characterized the Latin race and a consideration for the feelings of others; never wounding them by rough or brutal words or acts, nor ridiculing their peculiarities. When he was alone with Herman he

would talk about his *belle* France; its fertile gardens, its orchards and vineyards, its winding canals, mountains and picturesque sea coasts, and its thrifty, industrious, sweet-spoken children. And the same imagination that flew his kites in his business ventures, seemed to give spirit and ideality to his visions of his native country. He would have liked to revisit it before the sun set on his day of life; but the large family and the mortgages and the weakness and lassitude that came to him with old age, held him an exile, until he finally fell asleep in the midst of his little duties, his large family and his devouring mortgages.

The Casa Alvarado, as the mansion was called, was a scene of life this evening. The canvas roof had been drawn over, and the court was skirted with gay booths, the pillars were turned into pepper trees, and the corridors were festooned with vines, and laurel branches and gray moss. A long table stretched the length of the stage, which was loaded down with Spanish good cheer: cold meats, tamales, salads, olives dressed with oil, chili and onions, tortillos, bread and cakes, dulces, oranges, nuts, figs and red and white wine; and at either end Indian baskets piled up with cascarones, decorated egg shells filled with tinsel, to be broken over the oiled locks of the gay young men and women, and to remain there in evidence,— little flakes of gold,— for a week thence. The court made a good-sized ballroom, which had received a sprinkling of paraffine candle shavings, and its surface rivalled the waxed floors of the halls of dance in the centers of fashion and elegance. The booths contained the handicraft of the women and men of St. Agnes; drawn lack-work, shell-work and flowers; fancy articles, burnished steel Mexican bits, beautifully wrought and polished; silver-mounted, stamped leather bridles, mecates (hair ropes), and reins of leather and horsehair, and numbers of articles for raffle, pictures, dolls, cords of fire wood, a gold watch, a pony and a quilt.

It was the opening night of the Sisters' midsummer fair, and St. Agnes had gathered to enjoy the entertainment it always afforded, and to contribute to this popular charity; for no wizard could untie the purse strings of old and young, free givers and misers, as could the good Sisters of St. Vincent's Orphan Institution. Among those present

were many whom I have introduced to my readers. Mrs. Stanley and her son were not there; the former was not a patron of bazars and fairs, and not altogether a cheerful giver; and Walter had engagements more after his own heart elsewhere. The Misses Morgan had charge of the flower booth; Madame Municheisen assisted a number of pretty Spanish girls in disposing of the fancy articles; and Carmelita, in simple gown, a pretty tortoise-shell comb in her hair (which represented Pancho's savings), and radiant face, more charming than ever, ministered to the keen appetites of the guests, at the intervals between dances; as she could not miss one of these. Macdonald had come over from the Island for the occasion and Bebeleche and Don Victor had, by putting in an appearance, delighted the heart of El Sastro, who balanced about the room on his heels, rolling cigarittos, his boy cheeks aglow, his eyes sparkling, and ejaculating "Etty, etty, etty."

Herman was conversing, as well as his not perfectly spoken Spanish would permit, with a large, handsome woman with a great wealth of golden hair which had come down to her from her grandmother,— an Irish lady who had married a Castillian of good family,— when they were joined by a Spaniard, Sr. Don Ramon del Monte, the owner of a rancho in the northern part of the county; a gentleman of courteous manners and marvelous flow of talk. He had a dull-hued scratch on his head, contrasting by several shades in color with the fringe of living hair around the lower hemisphere beneath it and with his pointed oiled beard.

"Ah, *mi hermosa;* the fairest goddess in the assembly; queen of beauty, sweet blending of Andalusia and the Celtic Isles, how are you to-night? But I need not ask, for health and youthful strength as well as loveliness and grace are breathed from your presence. And you, Sr. Thomas; I am more than charmed to meet you here, a contributor to the success of this noble cause; and permit me to compliment you on your splendid looks and bearing, and to say that no more fitting cavalier could have my dear young friend, the lovely Señorita Juanita de la Paz."

"Oh, prince of flatterers," said Señorita Juanita, "we all know that you are born and bred a courtier, and that those

fine compliments are bestowed on any silly woman you may chance to meet."

"Take a chance on St. Patrick, Mr. Thomas," said Miss O'Brien, a merry Irish girl, who bore in one arm the great saint and in the other hand a raffle list.

"Well, I would not grieve you by not trying to win the patron of the isle of black-haired, blue-eyed beauties; one of whom has flown across a continent, and an ocean, by the aid of his influence, to captivate some protégé of good St. Agnes. Give me two tickets, a double chance on St. Patrick. Ah, here is our friend, John Stuart; I know that St. Patrick must stand in his good graces next to St. Andrew."

"Good evening, Mr. Stuart," said Miss O'Brien; "a chance on St. Patrick?"

"St. Patrick, what could I do with St. Patrick, if I won him? He would be like the Governor's tracts," said John Stuart, caressing his biceps.

"Well, Mr. Stuart, you know he might keep the snakes from your boots."

John Stuart looked at the demure young lady for a moment in solemn silence, then drew a leathern bag from his pocket and took five chances, and asked her for the first dance; and several times during the evening invited her to take refreshments, in no way disconcerted when she declined all invitations after the first.

"A boutoniere, Mr. Thomas, a little baby rose, with a few sweet violets and some sprays of maiden-hair fern; a dear lady friend of yours picked it out and said it would just suit you and that you should pay me double for it," and the Baron's little girl dressed as a Tyrolese maid, held up to Herman the dainty little bouquet.

"And so the little witch makes me pay double, does she? Well, for the sake of her sweet little self, and the fair lady that made the choice, I will pay the extra price and buy another, if you will go pin it on Grandpa Morgan's coat."

"Yes, indeed I will, and give him a kiss with it."

"Now who was the lady that said it would suit me?"

"Stoop down, Mr. Thomas, it is a great secret, I must whisper it in your ear."

Herman stooped down, and the little maid told the secret while a flush came upon his cheeks; and as the little betrayer of secrets ran off with a merry laugh, Herman glanced at the flower booth where Martha stood with an amused expression on her face.

The Mexican orchestra, hidden behind a screen of pepper branches, commenced playing a waltz and a score or more of couples were soon gliding over the floor. Capt. Seymour started in the direction of the flower booth, then hesitated, and catching sight of Miss Hatherton, offered his arm. Herman glancing in the same direction, saw Martha led off by his English friend, Mr. Bucknill. So, he strolled over to where stood Mr. Macdonald and Mr. ap Williams.

"Good evening, Mr. Williams," he said; "what is the latest from Wales?"

"The infants are still in arms, I believe," he replied.

"How do you do, my lad," said Mr. Macdonald; "I hae not yet seen that estimable lady, Mrs. Turnbull, wi her fine meerschaum pipe; do ye ken if she's here?"

"I think not, Mr. Macdonald, and I am very glad she has not brought any of her Commanche acquaintances; I am afraid the temptation would have been too strong to try to secure a collection of extraordinarily fine scalps. Did you ever see a finer display of heavy locks and tresses and ringlets?"

"It is nothing to the hair of the Welsh women," remarked Mr. ap Williams, "a girl in Wales is ashamed if she cannot conceal her whole person from head to foot with her tresses."

"Weel, I dinna ken if the Scotch women ever use their tresses as cloes, but I do ken that there are nae bonnier heads, nae brighter, glossier locks, than those o the Heeland lassies, an they need nae oil to gie them a sheen."

After the dance, the Baron and Herman had a few words with the leader of the orchestra, and he gracefully gave way to the Baron who led with animation, with Sigismund as first violin, the music of a sprightly song of Spanish type and time, a joint production of himself and Herman for the occasion; and Carmelita stepped to the front of the

stage, with a tastefully trimmed basket of tamales and sang naïvely, with her fascinating Spanish accent:

Tamales, tamales,
Chicken tamales,
Made by a fair lady's hand elegante;
With sweet golden maize,
And raisins so nice
And glossy, brown olives and chili piquante.

Just see my tamales,
Chicken tamales,
In their bright, yellow dresses tied in a bow;
Like plump roasting ears,
The fat little dears
Are lying together, all tucked in a row.

Come smell my tamales,
Chicken tamales,
No king's dainty dishes have flavor so sweet;
Through their delicate shields
Lined with herbs from the fields,
Rises steaming rich fragrance your palates to greet.

Come buy my tamales,
Chicken tamales,
And invite your dear friends to a holiday treat;
And the pittance you spare
For dainties so rare
Will help buy some shoes for poor little feet.

Carmelita was covered with applause and blushes, and her tamales turned into gold.

The entertainment ended with a Spanish quadrille led off by Carmelita and Pancho.

Capt. Seymour accompanied Miss Nellie to her residence, and quoted poetry to her; and she told him that she was called suddenly home, and would go on the early morning's stage, and she hoped that he would come and visit her. The Captain said he would miss her sadly, and that it would be but a short time before he would accept her invitation; and that when he came, he hoped that she would welcome him with a feeling just a little more than friendliness. He requested that he might accompany her on the stage to the top of the mountain, and she said that it would delight her. The Captain was her companion the next morning

to the summit and the driver told Herman, with a grin, that the parting was quite affecting. A few days afterwards the Captain and her other friends received the wedding cards of Miss Hatherton to an up-county ranchero. She had been down in St. Agnes picking up some little things for her trousseau.

Pancho escorted Carmelita to her home. They talked about the fair, and Pancho told her that she had looked handsomer than any fine lady there, and had sung very sweetly and then he asked if she did not care for him more than she did for others. And with her head down she said, "*Si*, Pancho." Then why would she not promise to some day let him claim her as altogether his own. She said, still holding her head down, and toying with the fringe on her mantle:

"We are very poor, Pancho, and we would have a hard time getting along; and I love nice things and you could not buy them for me, and I might get discontented."

"Indeed, I could work very hard," replied Pancho, "and I would be sure to get ahead; and you know that I would love to give you pretty things and deny myself to do it."

"Yes, I am sure of that, Pancho, and I thank you very much for the beautiful comb; it was good in you to get it for me, and I know you could not afford it. But I do not believe I could be happy on a rancho and I would get dull and you would cease to care for me. Besides, Mamma could not live on a rancho."

"She has always said, she loved to be in the country, that it took her back to her girlhood. But, Carmelita, I would not have you marry me, if I were not sure that you yourself felt that you could be contented and happy with me and loved me more than any other man."

"There is no other one I am as fond of as of you, Pancho, but I cannot think of being anything more now than a friend to you. We will wait, dear Pancho; there is no hurry, and see what may come. Maybe we will win our suit and be rich and then you can come and ask me, and you can stay with me, and we will not have to go off to a lonely rancho."

"Very well, Carmelita, I see I must wait, and I will not tease you any more. My love and loyalty to you will

make me wait, no matter how long. Good night, Carmelita *cara*, and remember this, there is no one in the world, except your dear mother, who loves you as fondly and unselfishly as do I, and who will be as true to you; and no matter what happens, you can call me to you." And he turned away, and Carmelita stole to her room, and sat down and cried and said to herself that she was a miserable, selfish thing.

## CHAPTER XXIV

### WALTER STANLEY WANTS CAPITAL

THE Stanleys were not infrequent visitors at Col. Morgan's. The letter the mother had brought to the Colonel came from an old Southern friend, a fellow officer in the Confederate Army. He introduced her as the widow of an intimate friend, who had gone to live in New York after the war, and had died there. In a personal letter following, his friend said that he knew nothing about young Stanley; that before the war he was off at school somewhere in the North, and he had not often met Mrs. Stanley. That the reason he gave the letter of introduction was because of his great friendship for her dead husband, and he felt that it would be forlorn for them to be thrown entirely among strangers in a new country, with no one to counsel or associate with. Col. Morgan did not encourage an intimate intercourse with them, and felt anxious and worried that they were so often at his home. It seemed to him that they, to a certain extent, presumed upon his hospitality. Martha felt the same way. She, with a woman's keen perception, detected an endeavor on the part of Mrs. Stanley, by means lacking in dignity and refinement, according to her standards, to ingratiate herself with her father and monopolize his presence, and she resented it. Both she and her father were much troubled about the fact that Anna seemed to have taken a fancy to Walter Stanley, of whom they knew nothing and with whom they were unfavorably impressed. As Martha had told Herman, her father was an excellent judge of human nature, and he had interpreted Stanley's character as anything but an admirable one. Besides, the words of Mrs. Stanley at the musicale kept ever coming to his mind, and he would say to himself, "What can a mother be who would with malice aforethought drive every sacred inspiration and

prompting and religious aspiration from a son's heart; and what can a son be with such a mother and such a mother's influence and training?"

Anna admired Stanley's worldly polish and his accomplishments. He seemed to do everything well. He was a vivacious talker with nothing original to say, and had the social talent of being able to create conversation out of nothing. Her nature was such that she never did nor could she go very far below the surface of things, or analyze character and motives. She lived like a bird, enjoying everything about her that addressed itself to her sense of beauty and afforded pleasure, without stopping to see what it was made of; and she had a childlike ignorance of evil, and want of suspicion, and a gentle confidence in those about her. This deepened the anxiety of the father and sister. Besides, Stanley appeared to have no vocation, profession or occupation. He said that he was interested in some large mining enterprises. He went frequently to San Francisco, remaining a fortnight at a time, and generally returning morose and sullen in looks. Col. Morgan in a casual way asked Herman about him, but he could not give him much information. He said that the man was not attractive to him and he felt that he was not liked in return; and although he never drank to excess, some of his associates were of the worst sporting element; consequently he saw little of him.

One day when the Colonel returned from a solitary visit to Ruheplatz, Anna came to the gate to meet him.

"Truant, Papa Colonel, where have you been, and what have you been doing? I have been watching and waiting for you such a very long time, and I have been very lonely. Martha has gone off to help some sick woman and left me to mope by myself."

"Such a frolicsome little girl as you are, with so much around you to play with, cannot greatly miss her prosy old father."

"But indeed I do, Daddy dear; I am very dreary when you are not about the house. If I come home and do not find you, I am quite cross; the good angel that makes everything about the place so pretty and peaceful has fled. But you do not often run away on horseback from your little

girl and you must have been doing something very sly."

"Nothing sly, my pet, only having a talk with our good friend, the Baron, concerning something very important."

"You mustn't have important things; they are bad for your health. Your work days have gone by and you must be like your little daughter, without a care or worry, just having a good time from morning to night. I have been intending to scold you, Daddy, you have seemed so grave and sad lately. What is the matter?"

"Why, that is very strange; I thought I was always bright and smiling when my baby is with me."

"No, no; I often catch you looking at me, with a very solemn face, as if I had been doing something naughty."

"Anna dear, when your old father is called away from this world, will you think of him lovingly, and at times wish him back in his old place in our little home?" They had sat down on the porch, Anna on a little baby chair at his feet, and she had his hand in hers, smoothing it softly. Tears sprang to her eyes, and she threw her arms about his neck.

"O Papa dear, I cannot think of your ever leaving us. It seems to me it would break my heart. Even if you do sometimes look sad and grave, and are not as strong as when you were a soldier, you are very young and your heart is just as youthful as mine; and you know years don't count when the heart is not old. You will be with us many long years, won't you, Daddy?"

"Indeed, I will stay with my dear children as long as I can. And while I am here will my little girl be contented to stay with me and cheer me up, until I tell her to run away? And will she always have faith in her father's love, and believe that what he does is for her life's happiness, and humor him in his ways?"

"Yes, dear Papa, I will always be your dutiful little daughter. It is no task to obey such a sweet, loving, indulgent old Daddy as you."

Martha, accompanied by Herman, whom she had met coming back from a stroll on the beach and aroused from one of his dreams, then came up.

"Welcome home, Papa; I hope you enjoyed your solitary ride and quiet chat with your cronie, the Baron," said

Martha. "Do you know, Mr. Thomas, that to-day is the first time that Papa has ever declined to have me as a companion on his rides. He and the Baron must have some great scheme on foot, if he will not take his private secretary into his confidence."

"It is very, very strange," said Herman; "I do not think that I could have done it, whatever the scheme might have been."

"That is too stately an attempt at compliment, Mr. Thomas," replied Martha, "and I fear it is not as ingenuous as it might be, when I think how you were going to pass me by a few minutes ago with a formal bow, and I had to bring you along by a sort of moral main force."

"Well, Martha," said Col. Morgan, "as no doubt Mr. Thomas has experienced, there are some things that one has to think out, some problems to solve alone with his own thoughts, and when one is engaged in such a game of solitaire, he is very dull company to others. At least he thinks he is. Could you not dine with us this evening, Mr. Thomas? I will get Dr. Barton and old Joe and Sigismund to come over after dinner and we'll have some music. You can ask them for me when you go uptown."

Herman accepted with pleasure. Just then Capt. Seymour came by on horseback with his surveying instrument over his shoulder and was hailed by Col. Morgan.

"Happy chance, Captain; I have just invited Mr. Thomas to dine with us this evening, and enjoy a little music afterwards, and if you will be one of us at dinner, our party will be complete."

"Do come, Capt. Seymour," said Anna; "it will give so much pleasure."

"Indeed, Miss Anna?" exclaimed the Captain, brightening up. "I will be most happy, Colonel, to accept your invitation."

"Yes, Captain Seymour," said Anna, "I have been dying to get your opinion on some wedding cards I have received of Nellie Hatherton. You met her, I think, when she was here. We have a little dispute as to whether they are not a little provincial."

The Captain shifted his instrument, with a grimace,— it could not be determined whether caused by Anna or the

transit,— and with a most wanton disregard of truth, replied:

"I have seen the cards; she showed them to me just before she went up to be married, and I suggested to her that they had a sort of a Cow County look to them."

Anna looked at him with amazement, and remarked: "Excuse me, Captain, but is that Cow County wedding cards story of the same degree of accuracy as the fable of the double ended grass?"

Col. Morgan had gone to the gate in front of which Capt. Seymour had stopped his horse, and while they were talking he saw Mrs. Stanley and Walter turning the corner; and he stepped out into the street as they came up. They shook hands with him and bowed to the others, and evidently expected to be invited to enter; but the Colonel stood in front of the gate, apparently a little distrait, and, assuming that they were simply passing by, wished them a pleasant stroll.

"Col. Morgan," said Mrs. Stanley, "could we not improvise a little party this evening for a beach supper? The nights are very charming now."

"I regret to say, madame, that we all have an engagement this evening, and it would not be possible."

"Oh, I am sorry," said Mrs. Stanley; "then it must be another time. Good evening, and *au revoir.*" And they continued their stroll, while Capt. Seymour rode off, and the Colonel with a sigh of relief joined his daughters and Herman.

"Do you think, Walter," said Mrs. Stanley, "that the want of courtesy on the part of Col. Morgan in not inviting us in was intentional?"

"I don't know. The old simpleton would be more apt to tell you flat-footed that he did not want you, if he had any special intention of not having us stop, and I am inclined to think it didn't enter his head to ask you. This much I know, I am glad he didn't. I have no use for that fellow Thomas and much less for that insolent ass Seymour."

"I can understand your not having a particular fondness for Capt. Seymour, as he, I understand, divides with you Anna's consideration; but I would like to know what are

your objections to Thomas. It may be necessary for me to have legal advice, and I had some thought of employing him. Col. Morgan seems to have adopted him as a protégé, and this is a circumstance that would have influence in my choice."

"You must have a poor opinion of my ability to please, if you think Seymour's attentions to Anna are an annoyance to me. He is an impudent little monkey and I don't like him around. As to his chum, Thomas, it may be a case of Dr. Fell, with me. But he is a man with whom you or I have nothing in common. He is a believer in religion and churches and priests and sacred things and all those relics of superstition which modern science has exploded and he generally herds with his own kind; and if he happens to stray into a company of men of the world of advanced thought, he is a discordant element."

"He is a good lawyer, is he not?"

"All I know about that is he has the reputation generally of being such."

"And is true to his clients?"

"I should judge that he would be, for the reason that he is not quick-witted enough to profit from both sides."

"Well, I cannot say that he is attractive to me," said Mrs. Stanley; "but as I am not looking for social intimate, but for a lawyer of capacity who would betray no confidence, and not sell me out to another, I am inclined to believe that Thomas would best serve my purpose. By the way, Walter, have you deposited to my credit the amount of the coupons from my securities? I suppose that you cut them when you were in San Francisco."

"Yes, and here is the key to your safety box. Don't you think it would be well to sell the U. S. bonds that bear so small a rate of interest and buy some securities that pay large dividends? Your income now is anything but a fat one, and you do not allow me enough to hold my own on."

"I certainly do not intend to jeopardize what I have by exchanging it for insecure, speculative securities. If I did so, and lost, it would be with me a dose of poison, and the end; for I would never again go through the penury and mortification which made my life miserable before

your father met me and married me. As for you, you have ample to live upon, especially in this place, if you must needs confine yourself to village life. Do you not think with your superior education and the advantages you have had that it is time for you to do something towards your own support? I may some day have need myself of all my income. You are all the time reporting that you have a number of enterprises on foot; are they products of your imagination?"

There was a sullen expression on Stanley's face as he replied:

"My education and accomplishments are of little avail to me in this country, and I doubt if they would help me anywhere without capital to back them. Your own training has put a barrier between me and the masses of the people. I can't hob-nob with them, as does that fellow, Thomas. They never let me into their confidence, or put me in the way of making anything, and would only laugh if I hadn't a cent to live on. I know I am cold, and repel people, but that is the way I have been brought up, and I can't and I do not want to help it. I know that this belief in a Divine Providence and a Man-God and the beatitudes is all nonsense; but somehow or other those that do believe in them have a friendly feeling to each other and help one another, ten times more than the members of any secret society and I have joined a number of them. I have no trade; I was above that, and no profession. It would be impossible for me to be a physician and do the menial things they are obliged to do, and I never could be a successful lawyer, unless I bought a position in a firm where my work would not necessitate familiarity with people below my station."

"And yet I have seen you in apparent good fellowship with any but reputable men?"

"Yes, I am perfectly at home with a polished scoundrel. I am at ease with a self-possessed gambler. We ask no affection or favors of each other, and can enjoy the one in the other what there is of astuteness and brightness. But the vulgar herd seems to exact what is termed sympathy and I haven't it to give. I do not know how much of this nature I have inherited. From what they tell me, it could

not have come from my father. They say he was a church member and a philanthropist. I remember as a boy his saying to me, 'Walter, my son, if you wish to succeed in this life, there are two things you must do: love your Creator and your fellowmen.' But it is of little moment in what way heredity figured with me; environment, home influence and education have prepared me to fight my way to success, provided the proper weapon is placed in my hands — money. Without this, I am as helpless as a puppet. You planned my training and the molding of my character and it would be a simple act of justice to give me part of your capital upon which to build my fortune."

"Never, never. I have yet to learn from you that you have the industry and ability, even with the aid of capital, to win. You would cast the blame,— for what is on your part, not want of equipment, but disinclination to work,— on me a woman; your mother. Do you not think this the plea of a coward? What consideration could I expect should I impoverish myself to furnish a gambling stake to one who would cast up to his mother what she had done at self-sacrifice to make his life a distinguished one? What greater weapons do you want to accomplish what thousands have done without money, than what I have given you; a robust body, a scientific education, accomplishments that insure you the entrée into any circle, and a mind emancipated from the thraldom of superstition? These are weapons with which to fight your way to success through the common hordes that may oppose you, and they are sufficient, if a coward's heart is not behind them. I did not prepare you, I will admit,— even if you had been a fit subject, which you were not,— to worm your way to success by sympathy and courting help from those beneath you. If I had so intended, I would have sent you to a monastry instead of to the most advanced schools and to a college of modern science and philosophy. Be careful, Walter, that you do not rouse in me the devil that once had place in me, or you will know how a mother can act towards an unnatural child."

They walked in silence for some time, when Mrs. Stanley said abruptly:

"If you must needs have capital to add to what I have given you, look elsewhere for it — marry it."

Stanley said nothing, but the frown on his face, partly concealed by his hat which he had drawn over his eyes, grew darker, and he muttered to himself, "It is for you to beware, and to learn and feel what a scorned son can do to a devilish mother."

They had reached the beach. The sun had just dropped beneath the horizon and the glow that steals over the landscape at sunset in this land of changeful beauty tinted the sky and ocean whose colors blended with the deeper hues of the seaweed, and softened islands and mountains and the valley's rough places. A schooner lazily rocked at anchor not far from the shore and a skiff was beating its way towards the wharf. The surf was but a pulsating fringe of foam. A fisherman had just drawn his boat up upon the shore, and was unloading some crae-fish; his wife and a brown, bare-headed, bare-legged little boy had come down from their neighboring cottage to meet him. A gentleman and his wife, with a couple of prattling children, carrying a basket and toy shovels, came loitering along, talking lover-like in gentle tones; and then a buggy driven by a young man, with an old lady at his side, passed, and when opposite to where Mrs. Stanley and Walter stood for a moment before retracing their steps, the young man said, "The air is growing chill, mother; I fear you will take cold." And he drew up the old woman's shawl and gently wrapped it about her shoulders.

Stanley cast his eyes upon the ground; and on his mother's face, as with tight-pressed lips she gazed across the sea to the mist-veiled islands, was a wild look of yearning.

## CHAPTER XXV

### THE REPUBLICAN CONVENTION

It was the morning of the Republican Convention. This assembly was held in the courtroom, which being in those days the only hall capable of accommodating any considerable number of people, was placed at the disposal of political parties and public and quasi-public gatherings. The interest and excitement prevailing were greater and more intense than generally characterized the County Convention. The Democrats had already made their nominations, and had put what was conceded to be a remarkably strong ticket in the field. Barrows, the nominee for the assembly was the choice of the large land owners in the northern part of the county, and expected to receive generally the support of the agriculturists who had already raised a large fund to be used in his interest, and which necessarily would help elect the entire ticket. The object was to have a representative whose main work in the legislature would be to secure the passage of what was termed a "no fence" law for the protection of the farmer against the trespassing of animals. As California had been a grazing country, up to this period, no protection had been given the grower of crops against the inroads of cattle. He had either to fence his land or lose his crops.

The nominee for sheriff, Nicholas le Roy, was also a strong man. He was a native Californian; his father, a Gascon, who had married a Mexican woman, had been a man of prominence in the state in early days and was a member of the convention that framed the state constitution. He was a fine looking man, of some education, and a crack horseman. He kept a livery stable in St. Agnes, and from him Herman had hired his first saddle horse which bucked him off, some distance from town, kicked the saddle to pieces and ran back to the stable. When

Herman got in on foot, his clothes torn and covered with dirt, he was told by Don Nicholas that he had sent a party back with the horse he had ridden to get him, as that horse always returned to where he had thrown his rider. For district attorney it had chosen a long, lean attorney, three-fourths farmer and one-fourth lawyer; in the profession, a sort of ship's lawyer (with ten children ranging in age from six months to sixteen years), who would be hard to beat, as he would get a number of the farmers, all the squatters and many natives who, out of sympathy, always voted for a poor man with a large family. Not much attention was paid to the other nominees; it was a foregone conclusion that the clerk and treasurer would be re-elected.

It was a wise thing on the part of Herman's friends not to make his candidacy public until after the primaries, as it would have been easy, so it proved, for his opponent Hill to have secured a sufficient change in the delegation to assure him the nomination. When it was announced, it caused a considerable sensation, and the American Hotel resounded with his name, accompanied by picturesque and loudly vociferated language of anything but a complimentary nature from the Shorty-Scotty contingent; which was aggravated by a remark of Long Hungry that the boy wasn't a bad fellow, and the observation of the Hon. Wm. McElhenny that, if he had a little more wind, he'd back him against any man in the crowd in a fight to a finish without gloves. This observation was doubtless caused by an incident which established Herman's position in the community as one not to be bullied with impunity,— a necessary thing to occur, to insure his future peace. After an encounter, the result of an unprovoked attack by a bully, John Stuart would have been perfectly satisfied with the condition of the countenance of Herman's antagonist, so far as its being recognizable by his most intimate acquaintance.

"We'll show that Eastern rooster to let this dung-hill alone," blared Shorty; "he'll get his comb chawed up, and his tail feathers yanked out worse'n any barnyard chicken you ever seen, before that game cock Bill Hill is through with him."

"D—d carpet-bagger," said Scotty; "what right has that tenderfoot to come out here and jump the claim of a Missouri thoroughbred and one of the boys, like bully Bill? He's a mean sneak anyhow not to come out before and give us a chance to settle his hash at the primaries."

So close was the contest between the two candidates for district attorney that not a delegate escaped the importuning of the friends of the one side or the other. That very morning Capt. Seymour and Herman had started at five o'clock and ridden down the coast fifteen miles to interview a doubtful delegate, a carpenter named Stouffer, who was at work building a barn. Capt. Seymour knew him, having had him do some work about his camp, and introduced him to Herman. They discovered that he had no intention of going to the convention and had so told Mr. Hill. When he found that Herman was a Pennsylvanian whose birth place was within twelve miles of his own and that he knew some of his family, he declared that he would stop work on the barn for the day and would go to the convention and not only vote for him, but would get him another vote of which Hill was sure. As the callers were starting back, Mr. Stouffer said:

"What a great state Pennsylvania is and what smart people they are there; they make such fine *Schmears,* apple-butter, peach-butter, quince-butter, plum-butter and *Schmear-Käse,* and they dry the finest *Schnits* in the world."

As could hardly be otherwise, the majority of the members of the existing Central Committee were in favor of Hill, and they did for him everything they could quietly and without compromising themselves and jeopardizing the interest of candidates for other offices, in the organization of the convention. Mr. Roncador, the chairman of the committee, though non-committal, was at heart Herman's friend. The larger number of the leading delegates, backed by the majority of the Central Committee, had agreed to the selection for presiding officer of an ex-captain in the Union army, an old gentleman named Jefferson; a farmer, with little knowledge of political maneuvering and less of parliamentary rules. Mr. Roncador, with a voice that seemed to be addressed to a squad of raw recruits in the vacant lot in front of the hall, deafening the

ears of those within, called the convention to order. In his speech, among other things he said:

"My men, you have heard the bugle call, and obeyed the country's orders and as good citizens have reported on duty. It gives me pleasure to see that all have answered the roll call and are lined up ready for action. The eyes of the country are on you, and I might say the whole world; for a voice from California is a voice from the greatest state in the Union of the Great United States,— the shriek of whose eagle brings fear to potentates and powers over the whole earth."

"And the waters under the earth, as my governor would say," remarked John Stuart, to his neighbors in the audience.

Capt. Jefferson was chosen temporary chairman, according to programme, and called the convention to order. The appointment of a committee on credentials by the chair was proposed and carried.

"I'm pretty well posted on meetings of the Grand Army, but I don't know much about running a convention," said the Captain. "I've got a list of names here somewhere for this committee;" (and the Captain fished around in his hat, under his red bandana handkerchief, certificate of honorable discharge from the army and certain other articles, finally producing the list); "it was handed to me by Mr. Hill who said these were the men I was to appoint."

"No set-up job in this convention. We don't want Mr. Hill's committee or any other candidate's committee," said Mr. Stouffer; "these delegates are able to name their own committee."

"D—d old jackass," growled Mr. Hill to Shorty.

Judge Freeman moved that the members nominate persons for the respective committees and that they be balloted for; which motion was seconded and carried. The committee on credentials chosen was a fair one and all delegates legally elected were seated.

The committee on organization and order of business reported, and named Capt. Jefferson as permanent president, and the committee on platform and resolutions fulminated a declaration of principles and eulogy of the administration and the party which cast in the shade the

tame platform and resolutions of the national convention.

After the selection of delegates to the joint senatorial convention of the two counties composing the district, the nomination of the county officers was in order. A bright gentlemanly native Californian, named Anginsola, who was versed in the three R's in English and Spanish, was nominated assemblyman.

At the last moment one of Mr. Miller's opponents withdrew in his favor, leaving the fight between him and a burly cattle drover who would have made a better slave-driver than sheriff. Mr. Miller won out with a handsome majority. The clerk and treasurer then in office were nominated by acclamation.

The time at last had arrived to choose the candidate for district attorney. Both sides were nervous and uneasy; each thought that victory was with it, but each felt that there was no surety. Judge Freeman in a brief address, forcible and in good taste, presented the name of Herman Thomas, and stated without exaggeration his qualifications. Mr. Mocker placed Mr. Hill in nomination with a prepared speech of considerable length from which we quote a few sentences:

"Some of us have been here a long time; some of us ever since the post-pliocene period when the tenderfoot had not heard of the place. Some of us was here when it needed a man for district attorney that knew how to pull his gun and get the first drop on any fellow that butted in when he was prosecuting his mate. And some of us think that we don't want any fellow now that wears clothes that will get spoiled and can only talk with his mouth. We're getting too luxuriant in our tastes, at least some are, and want a decanter and a cut glass tumbler instead of the old black bottle and a stout bottomed whiskey glass that will make an impression when you hit a man with it. To all intenses and purposes it is the same with district attorneys as it is with whiskey bottles. Give me the good old-fashioned material like Bill Hill; not one of your fancy cut glass, decorated specimens like the one he's running against. Mr. Hill does not seek the office of his own violation; but with true patriotism he says, 'I am in the hands of my

constituents; do with me what you will; the success of the party is my only ghoul.' "

The roll was called, the voting being *viva voce*. The candidates ran neck and neck, and finally they were tied with one more to be called. This was the friend of Stouffer; and Hill and his followers glanced at each other with triumph on their faces. When his name was announced he arose, and said:

" Gentlemen, a word may be necessary in explanation of my vote. A week ago I filled up that old-fashioned black bottle Mr. Mocker was talking about, and I seen things the same way he does, and I told Shorty and Scotty and their gang I would go for Bill Hill. I was in bed the next two days and Dr. Vanderpool told me that I'd have either to give up that black bottle or pass in my checks, and as I have some use yet for the checks, I have concluded to pass the black bottle and freeze to the cut glass decanter, and so I cast my vote for Thomas."

Herman Thomas was declared the nominee with vociferous cheering led by Sigismund from the jury box railing, and was warmly congratulated by his friends; while Mr. Hill and his constituents with crestfallen looks betook themselves to the American Hotel and the black bottle and stout bottomed glasses.

## CHAPTER XXVI

### HERMAN EMPLOYS A DETECTIVE

THE active campaigning was not to be begun for a month, and the candidates had ample time to prepare themselves. In the meanwhile Herman's friends exerted themselves to bring him in contact with representative men of the county he did not know well. Dr. Vanderpool was peculiarly energetic in this and his profession afforded him the greatest opportunities. Mr. Roncador had been reëlected chairman of the central Committee, and said that he would arrange the meetings in the outlying settlements, during the campaign, so that they could travel together,— an advantage to Herman, as Roncador was well known and reasonably popular among the farmers and stockraisers, and, having married into a native Californian family, had some following among the natives. Independent of the set meetings, Mr. ap Williams, Dr. Vanderpool, Bebeleche, Lasalle and others of his friends had promised to drive him around on a house-to-house canvass. Although Hill openly said he would support the ticket as nominated, it was, so far as district attorney was concerned, such a surly negative support that it amounted to opposition; while it was at once apparent that the Shorty-Scotty contingent would do everything they could to defeat Herman. They used as an excuse that he had in a Fourth of July oration denounced the pot-house politicians, evidently referring to them and the American Hotel loafers. Altogether he had a hard fight and he was warned by the sheriff and the most sagacious of his friends not to set his heart on winning.

"Nevertheless," said Mr. Miller, "you have an easier fight than I have, and I am already arranging things so as to have the means of earning my living in case of defeat."

Not long after the convention Herman received word from Washington that the two U. S. patents,— one to the

City of St. Agnes for the pueblo lands, and one for the Rancho El Roblar Viejo,— had been issued, and in a short time he received them, sent directly to him by his Washington associates. He immediately placed on record that of the rancho. He now felt greatly relieved, as he was convinced from a study of the decisions of the United States Courts (although the California Supreme Court had as yet not decided the question directly), that the bar of the Statute of Limitations could not be evoked by El Roblar Viejo Company; as the patent alone had the effect of taking the title from the United States and vesting it in the grantee, and the Statute of Limitations only commenced running, so as to confer title by adverse possession, from the date of issuance of patent. He had now five years within which to prove the forgery of the deed from José Castaños and sue for the recovery of the land. The only danger he could see was, in the event the forgery could not be established and it would be necessary to rely on the ground of fraud to rescind the conveyance, El Roblar Viejo Company might convey to an innocent purchaser. He did not fear this much, as the Company was absolutely unsuspicious of attack, and had no idea of selling at that time, and no bona-fide sales for anything like the prices at which the land was held could be had. Still he thought that there should be no further delay; that the time had come to take steps towards the procuring of evidence of the crime and fastening it upon the perpetrators. After mature consideration he concluded that he could safely take Sigismund into his confidence. So he had a long conference with him, and, as Herman had anticipated, Sigismund threw his soul into it. It was an interesting and exciting game to him, and a diversion that did him a deal of good. A particular line of detective work was laid out for him for which there could be no better one than he. He was to draw what information he could out of Antonio and Pedro Castaños, and, a more difficult task, to try to get into the inner circle of the conspirators, and unearth the true facts and, if possible, bring about a revolt in their camp; this, through Espinosa, who still chafed under the contemptuous treatment of Brooks, and hated him more and more as he remained in his employment. Herman said that

he would handle Gen. Peters himself. They had both gone over the deed from José Castaños to the Company, a copy of which Herman had made from the records, and examined the phraseology critically. The deed was in Spanish, of which language Sigismund was a master. They came to the conclusion that its architect was Espinosa, but that the cunning of Brooks was also displayed in its construction. An effort had been made to give it the appearance of having been drawn by a native Californian scribe. It had some of the conventional provincial terms found in the old *titulos*, at the same time containing words of grant and covenants not contained in the old deeds which operated, under the American law, to carry the fee and any after acquired title. They also felt satisfied within themselves that Brooks and Espinosa alone were the ones that actually fabricated the instrument, including the signature. It could be hardly possible that they would intrust Gen. Peters or Pedro Castaños with their dangerous secret and what was probably done was, Peters and Castaños were handed the instrument with the signature on it, with the request that they witness it, as they knew José's signature. They also believed that Brooks had so covered his tracks that Espinosa, in case of discovery of the forgery, could be made the scapegoat, and he escape.

Herman himself had planned another line of action which he did not disclose to Sigismund, thinking that his work would be more effectual if he relied entirely upon his own judgment and efforts. Herman had been acting as attorney for Wells-Fargo Express Company, in certain business matters, and had met the chief detective of the company who was then in St. Agnes. He had been a long time in their employ, and was considered the ablest of his profession on the coast. He expected to be in St. Agnes for several days, investigating the mysterious disappearance of a valuable package from the express box, on its way from San José to Los Angeles. He was a quiet, unobtrusive, gentlemanly man, with a frank countenance, and the only feature that reconciled one to the thought that he could be a detective, was his keen and restless eye which nothing escaped. Herman's idea was to try to enlist his services in the case to general the campaign and to devote

special attention to the offices of Barter & Brooks. He had been quietly gathering specimens of the handwriting of José Castaños and letters and papers bearing his signature, and was ready to test the verity of the signature to the deed to the El Roblar Viejo Company, if its examination could by any possibility be secured.

After his talk with Sigismund, Herman interviewed Mr. Howells, the detective; laid the case before him, and asked him if he would take it up. To his great gratification, Mr. Howells, without hesitancy, said he would, and that it would interest him beyond the ordinary. He told Herman that he knew the members of this firm very well and that he had occasion to ferret out some criminal transactions through which gross frauds had been perpetrated upon people that could ill afford to suffer by it, and that he was positive that the head devils in the affair were Barter & Brooks, but they had so covered their work that it was not possible to connect them by satisfactory evidence with the criminal acts. Herman gave him some of his samples of the handwriting and signature of José Castaños, and he promised to outline the work as soon as he reached San Francisco, and to currently report progress to Herman. After their talk, as it was still early in the evening, they walked over to the American Hotel. As they entered the bar-room, Stanley and Buckley were just going into a cardroom.

"Helloa, there's a man I know," said Howells; "Dan Buckley, as cold blooded a card-sharp as there is west of the Mississippi. Who is that with him? Stanley, you say; I have never seen him. Strikes me to be an amateur gambler who thinks himself equal to a professional; just the game for Buckley. He'd better look out for him; though Stanley, from his looks, needs only the experience and skill to be as unconscionable a sport as the other."

Here Gen. Donaldson came in from the street, and, what seemed strange to Herman, he was accompanied by Crawson, the cockney that Sigismund had thrown through the glass door. The latter, it is true, had been concealing his brutality since that memorable evening, and no reports had been made of ill treatment towards his wife; and he had been going about with Major Falcon looking at prop-

erty, saying that he intended to buy and build. He immediately became an object of interest to Howells, who remarked to Herman:

"An Australian crook, or appearances are deceitful. One of your heavy-weights; couldn't swipe a watch or a pocket book, but equal to cracking a safe or rolling a man. If he had been in the country long enough to get rid of his Sidney clothes, I would put him down for investigation in connection with our express robbery. The society of St. Agnes is getting quite city-like. What is he doing with Gen. Donaldson? The General's a fine fellow, used to know him at Fort Yuma; think I'll tip him the wink about his companion,— not to become too intimate. Helloa, General, glad to see you; how are the camels?"

"D—n the camels! Why, bless my soul, if it isn't that old mouchard Howells. Glad to see you, anyhow. How do you do, Mr. Thomas? As for your beastly camels, go and ask your Company's agent down in San Pedro, Old Buck; he'll probably give you the latest information about them. Better take your gun with you when you make the inquiry."

"You must know, Mr. Thomas," said Howells, "that the General and a messenger of the Express Company, whom they call Old Buck, were the victims of the progressive spirit of the United States Government, who imported a caravan of camels from the Arabian desert to act as freight carriers, and propagate their species in the American desert. They may have thought that it was the only kind of a saddle animal that could pack General Donaldson from Fort Yuma to the seacoast. But they were even a little slow for the General who had charge of the transportation branch of the government service, and after having his bay-window jerked from fore to aft in trying to adapt his peculiar formation to the build and gait of the beasts, and his senses of decency and smell perverted so as to make him think he was degenerating, he reported to the government that the experiment was a failure; that the beasts were well enough in their place where they came from, among a lot of filthy Arabs, and where you ordered supplies one year and got them the next; but they were no fit things among decent people,

and you might as well mount cavalry on oxen, as move freight on camels. But the profanity of the General, who is no slouch of a swearer, was nothing to what thundered along the route when Old Buck had to pack a blunderbuss and the express box from San Pedro to Yuma and back on one of the wriggling beasts. The General received a curt reply from the government that the experiment must have a much longer and more thorough test than had been given it before the government would abandon it. Old Buck said that d—d if he'd be made a monkey of, and travel on a stinking, humpbacked, ham-strung old carcass. He'd just as leave be married to a Chinawoman. After that it was wonderful how the beasts strayed off and got lost, and shot by Indians, and lame and sick and were never on hand when they were needed. The General and Buck became great friends; and when the government found the bills for transportation higher than before and were made aware of the fatality among the camels, it surrendered, and the General ordered a case of champagne from San Francisco and didn't pay any express on it; and Fort Yuma was missing an officer and the Express Company a messenger for three days; both were seriously indisposed at Los Angeles."

"Well, I'm glad I got one in on the United States Government; but it paid me back, or I wouldn't be practicing law by ear in this inlet," replied the General. "And to think," he continued, "that great man, Jeff Davis, when Secretary of War, was the instrument of bringing these beasts to the country. Why, the correspondence about them would fill a U. S. patent report volume, and the expedition to secure and transport them was organized as if it were intended to capture Constantinople. The scientific essays on the origin, history, habits and utility of the filthy creatures procured by the Secretary of War were as elaborate as the researches made prior to the adoption of some new improvement in the engines of warfare, and a Turkish grandee with the formidable name of W. Re Kyan Bey, was pressed into service to give a learned biographical sketch of the monster, its treatment, and its use in war and commerce. It was a fine send-off for the humpbacked animal; only he rather took the fire out of his eulogy

by letting his Oriental belief get away with him and saying, 'Even snakes and scorpions will, sometime or other, be made useful to mankind.' The blamed fool also called attention to the fact that the dromedary, when in good health and well fed, accumulated fat in an unnatural way about the hump on his back, instead of like a Christian, about his belly, and went on to say that when he hadn't enough to eat he would subsist on this fat. I know something about it, and the reserve fat on my stomach never satisfied my appetite when I was on short rations."

"The camel scheme and its outcome, General," said Howells, "should have warned you not to tie yourself to that kind of a great man who magnified small things into great ones and then always made a failure of his phenomenon. But who's your friend?"

"Huh, you mean my client here? This is Mr. Crawson, from Australia, for whom I have been examining a complicated title. Mr. Crawson, Mr. Thomas, a member of the bar, and Mr. Howells, an expert thief catcher."

"From Scotland Yard, Mr. Owells?" said Mr. Crawson, with a slight air of embarrassment.

"No, I didn't graduate from that renowned institution, but I have some good friends among its officers, and they keep me supplied in dossiers and photographs."

"I opes you ave no use for them in St. Agnes, Mr. Owells. I wouldn't like to invest in a place as arbors criminals."

"Oh, I guess you're safe here, if you don't gamble or travel around much; gamblers and stage robbers are the only birds of prey that can live in these cow-counties. It's pretty dull here to-night. Suppose we take a stroll, Mr. Thomas. Good evening, gentlemen. I'm always at your service, Mr. Crawson, if you fall among thieves. You're perfectly secure with the General."

On reaching the street, having closed the door on the bar-room clatter, their ears were greeted with the music of violin, flute and guitars, coming from some nearby spot.

"A serenade at the Commandante Casa," said Herman; "no doubt some of my friends; we will walk over and take in the entertainment, it is but a few steps away." As

they drew near the Casa, the orchestra ceased playing and a few chords were struck as a prelude on a single guitar, and the mellow tones of a baritone arose on the air: "Kathleen Mavourneen, the gray dawn is breaking."

"John Stuart," said Herman, "and I know for whom is the sweet old Irish love song."

Drawing near they found the musicians on the furthermost wing of the mansion, and John Stuart stood facing the Dutch door with his back to the *pateo*. Herman beckoning to Howells, they slipped up the front steps and stood in a doorway out of sight of the serenaders. When the song was finished, the upper half of the door was opened a little way, and a low voice was heard, not too low but that the music of a bewitching brogue reached the listening ears:

"Sure, it was beautiful, Mr. Stuart. It is the first time that Kathleen Mavourneen has echoed about these ancient walls, and the dear old ballad, coming from away across the waters to touch the heart of an ofttimes lonely Irish girl, will be sweeter to me than ever. I thank you, Mr. Stuart."

"It's nothing, Miss O'Brien. I wish I were a better singer, and I wish I were a better talker. There is no lady I would sooner sing and talk to than you." And John Stuart shifted his pipe from his right to his left hand, and thrust his right through the opening in the half-door, and it remained there; and a few gentle words were whispered from within, and John Stuart's voice arose in "Oft in the Stilly Night." And Herman thought that the exile from Erin must certainly surrender to the allied forces of the rich and sturdy-voiced Englishman and the sweet singer of Ireland.

In the middle of the first stanza, the door where Herman and Howells stood, softly opened, and in obedience to a whispered invitation, they entered. The only light was what came from the moon-beams, and it was just sufficient, after the eyes became used to it, to enable them to distinguish forms and features. The lady who summoned them, after closing the door, led them into the room into which the Dutch door opened from the porch where the singer stood. A group of ladies were in the room, and all appeared to be

overcome with emotion, which they were trying to suppress, with handkerchiefs thrust in their mouths, and rocking back and forth in their chairs, some almost in convulsions. Their guide, one hand upon her mouth, pointed with the other to the partially open Dutch door. Back of the door stood Miss O'Brien, her hands pressed closely to her breast, her lips tight together and her eyes sparkling with merriment, the embodiment of impish mischief; while by her side stood an old wrinkled Indian woman, with a grin on her stolid countenance, with her hand clasped in John Stuart's. The song ended, and Miss O'Brien, with a mighty effort, said in a voice filled with emotion:

"Thank you, Mr. Stuart. I have not been so moved for a long time. You must come see me and console me in my loneliness with melodies of my native land. Good night, I cannot remain longer."

John Stuart warmly pressed the hand he held, and the grin on its owner's face grew broader; and he said, "May I have the pleasure of a drive with you to-morrow?"

"Certainly, Mr. Stuart, you will find me here at any time in the afternoon," replied the Irish maid, and then she motioned to the Indian who gave John Stuart's hand a farewell squeeze and withdrew her own, and the door closed. After the hysteria of the witnesses to the touching scene had been overcome, Herman said solemnly:

"Now, ladies, Mr. Stuart is a fine fellow, and I don't want to lose him, and I think Miss O'Brien would lose a great deal of fun if he fled St. Agnes; but as sure as fate, if this evening's comedy ever gets to his ears, John Stuart, his remittances, his pipe and his governor's tracts, will disappear to more appreciative scenes."

"Oh, never fear," said Miss O'Brien, "it will not leak out, and if it does I'll tell him it's a base slander invented by a jealous rival."

As Howells bade Herman good-night, he said:

"If ever you get tired of the law, I'll take you into the service, you'd make a good society operative; and if you would only marry that pretty Irish devil, I would insure you your fortune."

## CHAPTER XXVII

### MRS. STANLEY MAKES HER WILL

HERMAN impatiently shut a law text book he had been trying to read and threw it down on the table with an expression of weariness and ennui. "It is no use for me to attempt to study law," he soliloquized, "I hate it as a science. The knowledge I gained of it was from no love of it, but from the ambition to excel over my competitors; and now with me the books are but tools to be picked up when I need them, and not companions from which to gain intellectual diversion and scientific knowledge. They either put me to sleep or furnish a sort of saw-dust carpeting for the acrobatic feats of my untamed fancy."

He sat musing and his thoughts wandered back to his law-school triumph, and he felt how little the acquirements upon which these academic victories were based inspired effort towards the mastery of the science, and how small a factor they apparently were in the winning of material prizes in the practice of the profession. Then he thought of the tame sequel to his university honors, in the dreary drudgery of a New York law office. From there he wandered to his life in E., his brief newspaper career, and the interest and pleasure it afforded him; the Keller and its choice spirits who had him so affectionately in their thoughts, and he almost wished he were back among them, despite the slow, uneventful life he then led; the atmosphere as it came to him from the past having in it so much of grateful warmth. And then he thought of old Saterlee and his dead darlings and the Sunday he went with him to their resting place, and a feeling of deep compassion came into his heart and a longing to help the poor, forlorn old man. While thinking of him, a young Californian whom he had sent for his mail brought him a solitary letter addressed in a trembling hand, which he recognized at once as that of Saterlee. It was a brief note:

"*My dear young friend*:

"I long to hear from you. Please write and tell me about yourself; how you are, what you are doing, your daily life, what are your plans and prospects, who are your friends and if you are happy. If you need comfort or advice from a true friend who never betrays confidence, or if you have anything to distress you, any trouble or sorrows, unburden yourself to me. I am old and broken; but at times I am very wise, and I know so very much of human suffering. And, Oh! be brave when suffering and sorrow come, and do not rebel or lose heart; and for God's sake do not seek strength or courage or consolation from drink. I miss you sadly and a few words from you every now and then would brighten this old heart.

"Your faithful friend,

"DAVID SATERLEE."

"Poor old man," mused Herman; "and how odd his note should come at the moment I had him in my thoughts. And the singular way he came into my life, the devoted interest he takes in everything that goes to make it up, and the notes of admonition and warning he sounds, all the stronger coming in the intermittent moments of bright intelligence, as if special messages sent from a supernatural source, and portending and preparing me for some great ordeal; it all seems strange, very strange."

He immediately answered the old man's letter, telling him in a frank, ingenuous way all about himself, his daily life, his business plans and political schemes and the friends he had made, and ended by saying:

"And now my dear friend, I promise that if Providence should place me where I feel the need of the sympathy and counsel of one who has me affectionately and unselfishly in his heart, one who has passed through life's bitterest trials, and knows how to minister to a passionate nature in times of struggle, I will turn to you for aid, and I shall try to bear with manly courage whatever of disaster, sorrow or suffering is sent me."

"Helloa, boy, anything new? You look solemn; writing your epitaph?" said Dr. Vanderpool who had glided into the office without the formality of a knock.

"No, Doctor, I composed that before I left the East. Here it is:

"'Unloved when living by wife or by child,
Unwatched when dying, unwept when he died.'"

"Huh! Pretty good sort of an epitaph, that. It's not everybody can have it, though. There is nearly always someone fussing around and watching when a man's trying to die comfortably without being interrupted. You might write one for old Bill Gibbs to-day and Domingo to-morrow, he can't last much over to-night."

"So the poor old trapper has passed through the dreaded ordeal," said Herman. "Did you make it as comfortable as possible for him?"

"He didn't need my services; the old woman and girls managed at last to get him to have a talk with Father Aloysius, and he made him as meek as a lamb, and he went quietly to sleep and never woke up again. That priest, I believe, if he was given a fair chance would mesmerize the devil. He has made a gentle child of old Domingo, and his old wife can't understand it, and wants me to keep him alive as long as it is possible, it is such an agreeable change. But I've just come from another patient who I think would be a nut that even Father Aloysius couldn't crack. She told me that she wished to stay alive until she had herself decided to go, and when the time for dying came, she'd attend to the business herself and didn't want any dosing doctor or whining minister near her. She don't like the place, and asked me if her condition of health necessitated her remaining here. I told her that if she had not yet decided to die, she'd better stay here at least for a couple of years. She then said that if that were the case, she must consult a lawyer, and wished me to ask you to call and see her this morning."

"But who is it, Doctor? you have not given her name."

"Oh, I thought I'd mentioned it; Mrs. Stanley."

"The devil!" exclaimed Herman.

"I don't know that," said the Doctor; "you might call her one of his maids of honor."

"But why should she send for me? She does not like

me, or her manner belies her feeling; and her son has no use for me."

"May be," replied the Doctor, "it is for the latter reason she sends for you. Whatever be the motive, there is no objection to your acting for her if the business proves to be reputable. *Adios.*"

Herman, in obedience to Mrs. Stanley's request, called upon her at once, and was received politely, if coldly.

"Take a seat, Mr. Thomas," she said; "you have been recommended to me by Col. Morgan and others as a lawyer of ability and integrity and one who never violates confidences; and everything I shall speak of must be in absolute confidence and breathed to no one,— not even to my own son."

"Keeping inviolate the confidences of his clients is second nature to a lawyer of any respectability, and to him it is as easy to keep secrets as to disclose them. I will understand, Mrs. Stanley, that what you say is in the strictest confidence."

"I do not know that anything I have to consult you about is of sufficient importance to merit an admonition as to secrecy; but it is my method and habit to keep from the knowledge of the world my thoughts and plans; and I might say here, I never permit another, even one with whom I consult, to furnish me standards of right and wrong — this is my own prerogative. In the first place, I desire to make my will. It will be simple enough. I wish the income of my estate to go to my son Walter, during his life, and the principal, upon his death, to his children, if he marry and have any; and if he leave no children, then to Major Francis Forrester, Union League Club, New York."

"Suppose your son, dying without children, leave a widow?" said Herman.

"I am not called upon to provide for his widow. She could have no claim upon me. The only obligation I recognize is what nature imposes to benefit one's own blood. I desire as executor, Mr. Lawrence, the banker of San Francisco. You can prepare the instrument and, if possible, I should like to execute it to-day. That disposed of, I would like you, without letting my name appear, to investigate the character and value of certain investments that have been

suggested to me. I suppose you have facilities for obtaining such information?"

"Yes, I have reliable correspondents that can advise me in such matters."

"There are two companies of which I am offered stock at what seems to be a low price, but concerning which I know little; one is El Roblar Viejo Company, and the other Los Azogues Gordos Quicksilver Mining Co. The properties of these companies are in St. Agnes County; but as I understand it, the offices and principal stockholders are in San Francisco."

"I know about these companies," said Herman, "and I think that they are both over capitalized; but I will ascertain their exact condition and the amount and value of their assets and whether their stock would be a safe investment. May I ask you by whom the stock is offered and the price?"

"There are some natives who hold stock given them for land sold to El Roblar Viejo Company which can be gotten at half the face value and I understand that the secretary of the company, a man named Espinosa, has quite a large block which he will sell for seventy-five per cent. of its par value. The quicksilver mining stock can be purchased at twenty-five per cent. of its face value, and is held by a San Francisco party. The stock has been offered to Walter and he urges me to purchase it. There is another matter, a delicate one, which I am reluctant to take up, but I must protect myself, and by protecting myself, protect my son. It is necessary for me to know the habits, haunts and associates of Walter, both here and in San Francisco. Can you give me or procure me this information?"

"Madame, I am not a detective, and I have yet to play the spy on another's conduct. Besides, I am rarely thrown in company with Mr. Stanley and I am conscious of a feeling of dislike to me on his part, and I would not be, should I by any possibility consent to act, the one to ferret out what you wish to know."

"Well, you have no objection, I suppose," said Mrs. Stanley, "to give me the name of a skillful and reliable detective."

"Of course not. There is no better detective on the

coast than the one regularly retained by Wells Fargo Co., Mr. Howells, whose office is in San Francisco. My advice would be for you to place the entire matter in his hands, if he will undertake it, and let him select his operative here. This is his name and address, and I suggest that you commit them to memory and burn the memorandum. I will drop him a line. He will give you a statement of his charges, which will be so much per day for services, and actual expenses, so that you can tell in advance what the cost will be."

After this interview, Herman returned to the office, prepared the will, and then wrote to Howells, telling him what Mrs. Stanley wanted and that he would no doubt hear from her immediately; and recommending that he accept the employment, if he could with propriety do so, and suggesting that it might aid in their work in the Valenzuela case, as Stanley had evidently been treating with Espinosa and the Castaños in reference to purchase of stock. He also requested him to obtain what information he could concerning the personnel and the financial status, etc., of Los Azogues Gordos Quicksilver Mining Co.

Mr. Howells having consented to act for Mrs. Stanley, a satisfactory agreement was made between them, and Stanley's life became the subject of inquisition at his mother's instance, for her enlightment. Better for her, as the future showed, had she not sought the knowledge.

The will was executed, and placed in a packet with a letter addressed to Major Forrester, and with her diamonds and some other valuables deposited in the safe of Wells Fargo Co., by permission of the agent, obtained by Herman. The agent had been instructed that Mrs. Stanley in person could alone withdraw the packet during her lifetime, and that its presence in the depository should remain a secret. In the event of her death, as appeared by endorsement on the cover, it was to be handed to her executor, Mr. Lawrence.

## CHAPTER XXVIII

### A FÊTE CHAMPETRE AT LA LAGUNA BLANCA

Mrs Stanley, to the disgust of Major Falcon, had not bought any property, but had rented an adobe house, somewhat isolated from the thickly populated part of town, and not far from the home of Col. Morgan. She had furnished it simply and in good taste; but in it were found no little odds and ends of things, breathing individuality and sentiment; no homely souvenirs, whose eccentric presence speak some sympathetic association; a camelian attractiveness without scent. It was a comfortable residence, without the warm atmosphere of a home. The little garden about it was neatly laid out, and well kept. In a shady corner of the porch in front of this, her habitation for the time being, Mrs. Stanley reclined upon a steamer chair, resting, and inhaling the ocean breeze, after a rather severe attack of her chronic physical heart trouble. A magnificent thoroughbred blood-hound lay at her feet, who at intervals would lift up his head, look intently at his mistress' face, then resume his position of repose. Some little distance from her sat Walter, smoking, silent and moody.

"Walter," she said, finally breaking the silence, "I am convinced that we have grown stale to the people here with whom we are and must continue to be associated, since we are obliged to remain. I notice it particularly in Col. Morgan's family. Every one, I suppose, thinks that his duty has been done towards our entertainment. We are compelled, if we do not wish to be dropped entirely, to make some return. What, in your opinion, would be the best and most comprehensive economical way of doing it?"

"So far as I am concerned," replied Walter, "I would much prefer the indifference of the most of them to their intimacy; but I suppose that you are right; we cannot afford to turn these people entirely away from us. Why not have something like the Morgan's musicale?"

"Certainly not. I never pattern after another's performance, especially if it has been a successful one. Besides, this house is not suitable for it. I wish to make it something different from any of their accustomed entertainments and one that will be the talk of the community."

"Well, we could arrange for a mask-ball at the Casa Alvarado."

"No; it would not be a success. It would be a tame affair, in this provincial community. How many do you suppose could select interesting characters and properly impersonate them? I had thought of a fête champetre, and I believe that it could be arranged at not too great expense, so as to be a novel and brilliant affair. I know a spot properly adapted to it: Laguna Blanca, on the Hogan rancho."

After a moment's reflection, Walter replied:

"It is a very good idea, and I must admit that you could not find anywhere a place better suited to such an entertainment. If you had a mind to display as one of its features your own talent, so far concealed from these people, you would certainly make it something to talk about."

"I have thought of that, and although my heart has always to pay the penalty, I have made up my mind to let certain parties realize that I have within me what they do not dream of and what elevates me in talent and accomplishment above them all."

"Well, when you are ready for it, let me know, and I will assist you in whatever way you wish," said Walter, throwing away his cigar, and arising lazily.

"Where are you going now?" said his mother.

"I have an appointment with a San Francisco party, and it is nearly the time," and he walked away. When some little distance from the porch he turned and called to the hound, "Here, Timon." The dog got up, turned his back upon him and laid his head in his mistress' lap.

Mrs. Stanley's eyes followed Walter until he disappeared, when she grew pale and pressed her hands tightly to her heart, as if to control a paroxysm of pain, and when it seemed to have passed, she said to herself:

"And is this the result of all my training? Is this the

outcome of these long years of sacrifice? Any company, the most disreputable, is preferable to his mother's. A useless drone, a sour-tempered idler, and, worse than all, an ungrateful child." Then stroking the hound's head, she said, "To think that a dog, a blood-hound, should have a greater affection for me and love to be with me more than my own son. Well, Timon, you are my only friend, the only one to stay by me, my only protector."

Mrs. Stanley had Herman obtain permission of Mr. Hogan for the use of the grounds for the fête, and arrange to have musicians and mechanics and trades people meet her and get directions for the providing of what she considered necessary to make the entertainment enjoyable and brilliant; after which she sent for Sigismund and had an interview with him.

As chance would have it, when Herman returned to his office he found Mr. Hogan and his friend, Capt. Monoghan, awaiting him. Mr. Hogan was an Irishman, a successful farmer and sheep-raiser, who had, with shrewdness and foresight, picked up, at a small price, several different tracts of land, aggregating a thousand acres, adjacent to the town of St. Agnes, and constituting one of the most beautiful estates in the county, on which were many building sites with picturesque vistas and views of mountain and ocean, and was, a quarter of a century later, artistically improved and beautified and cut up into a number of attractive homesteads. It went by the name of Hogan's Ranch, and when in the ownership of Mr. Hogan was under one enclosure, and the suggestion of dividing it up and selling any parcel of it would arouse his ire almost as much as whistling "The Battle of the Boyne." He had, but a few days before, paid a judgment for damages for forcibly resisting the opening of a county road through a portion of it (which really enhanced its value), with the aid of a stout shillalah with which he played an Irish jig on the heads of the county surveyor and roadmaster, and pitching the surveyor head foremost into a bunch of prickly-pear.

Mr. Hogan did not boast of, and had rather a contempt for, a superior education, and was very well satisfied to go no further in the attainment of book learning than printing his own name, which his wife had taught him. When called

upon to affix his signature to a paper, he would square himself solidly before the table, clutch the pen in his right fist and, propelling it with the left hand, would announce his progress along the difficult road, something like this: "Tay, hach, o, jay, a, n, Tay Hogan, of Hogan's Ranch, that's me name, and dom the man who says it isn't." He was a good-hearted, hospitable man, and a kind friend, and proved to be a good client of Herman's.

Capt. Monoghan was one of the best, most true and loyal friends of Herman's,— from the time the latter pitched his tent in St. Agnes,— until death released him (he was a great sufferer in the last years of his life) some fifteen years after. He owned a rancho some forty miles above St. Agnes. He had been a sea-captain, the son of a captain in the British navy, where he would himself have been, had it not been for his defective hearing. Before coming to California he had commanded a packet ship, running into Philadelphia. He was a loyal Catholic, and not long after his first meeting with Herman, showed his colors in an emphatic manner. He had borrowed from Herman some volumes of Darwin and of Voltaire, and when sometime afterwards he asked their return, the Captain exclaimed, "Return them; do you think I would return those works of the devil? I made a bonfire of them last St. Patrick's day."

The two friends had come to Herman's office to have drawn a couple of bills of sale. Mr. Hogan was trading the Captain a stallion for a bull and each wanted an evidence of ownership. There was some little talk and banter between them before the instruments were signed.

"I want yes to know, auld Monoghan, that I know your dommed auld bull isn't worth half the value of the stallion. Why, the finest draft horses in the country come from him."

"And well do I know that, Hogan, and there is little chance of any more coming from the auld beast; while I am giving you the finest young short-horned bull you can find between here and San Diego, and you know it, you auld divil."

After the trade was consummated, Herman made to Mr. Hogan Mrs. Stanley's request, which was at once granted,

with the offer to have the "auld woman" and their boys and girls give any aid they could in getting the grounds in shape for the picnic.

"And how is everything on the ranch going now, Mr. Hogan?" inquired Herman.

"Bad, Mr. Thomas; ivery day of my life there's worrit about something. They pushed their dommed road through me land, and made me pay damages for shampooing that red-headed Yankee surveyor wid tunas, whin he was on me land widout any leaf from me; and now I'm in trouble about the wather, I can't make it run to me house. I had me boy, Tom, who is learnin' surveying, run a line for the ditch, and I dug it, and divil a bit will the wather run in it. I asked Capt. Seymour about it, and he says that Tom surveyed the line all right, only he made it run up hill from the spring to the house, and he tauld me I ought to get some sort of a ram, a hoighdrawlick ram, I belave he called it; but I tauld him I wasn't going to buy any more rams, I spent too much already in improving the brade of the shape."

The fête champetre was, owing to the elaborate provisions made for it, the talk of the town, long before it took place. To the trades people, mechanics and laborers, who had reason to regard Mrs. Stanley as one who never spent a dime uselessly and ran her household on a strictly economical basis, the extensive and varied preparations were astounding. A stage and amphitheater with seats sufficient to accommodate a hundred people were being constructed. There were also arrangements for games and sports and a dancing floor. There was to be a tourney, also exhibitions of horsemanship, bronco riding, and other diversions. Sig. Bolero, the musician whose aria from "Ernani" charmed Herman, was practicing every night to present a part of the opera "Il Ritorno di Columella," in costume. The invitations had gone to all those who were received in the social circle to which Mrs. Stanley belonged; no exceptions being made against those that were *persona non grata* with her or her son. They had been issued far enough in advance of the event to enable the young men from the outlying ranchos to be present.

The heavens, if they did not inspire Mrs. Stanley's

great function, chose to tolerate it and to bestow their smiles upon it. It was a day in early autumn, when the ocean breeze tempered the lingering heat of summer; when a light fog making dim the islands and softening the mountains, gave grateful freshness to the air. A lacework of clouds screened the sun here and there along its pathway, and in the morning cast grotesque shadows on the mountains; and as sunset pronounced the valedictory upon the day's exercise, gathered in the west in masses of foam which turned to crimson glory and then, as twilight stole on, changed to solemn gray, a little lake, across whose placid bosom the breeze lightly skimmed, leaving faint sparkling ripples to mark its course. It was unlike the waters of Herman's boyhood home; it seemed a patch of the sky fallen down. Only clouds were mirrored in it, except at times the flying shadow of a water fowl; no willows waved and sighed over it; no reeds rustled or rushes bent on its banks; no lilies floated on its bosom; and yet there was a strange unimitating, dreamy beauty about it. Down to its banks around about it the hills, beautifully wooded with live-oaks, rounded as though by an artist's trowel, sloped. The soft brown tints of the summer carpeting blended with the green of the oaks and the varied shades of blue of mountains and sky. Romantic ravines wound among the hills, some leading to the ocean's shore; and from each hill-top was pictured a peaceful, pastoral scene, whose gentle loveliness captivated the souls of those in whom dwelt the love of nature.

The stage stood at the foot of a slope near to and facing the lake, with canvas dressing room attached, in front of which were board seats for the audience. Between these and the lake was quite a large space staked out with poles from which floated different colored streamers. On one side of the dressing room was a dancing platform where were seated the Mexican string-band, which played continuously during the day its limited number of pieces, rotating in regular order like the tunes of a hand organ. Under the trees were tables and beside them baskets and pails and demijohns from which came all sorts of substantials and dainties, in proper time to load down the tables.

The Stanleys had driven out early in a buggy and received their guests. The Morgans and Baron Municheisen and his wife and daughter made one party in a commodious spring wagon, and Capt. Seymour and Herman, on horseback, kept by their side most of the time. The other guests came in all sorts of conveyances, and some on horseback; and there was not an invitation unresponded to. Curiosity to witness everything that happened at the novel entertainment made everyone prompt, and by ten o'clock, when the sports began, Laguna Blanca presented a scene of life and brilliancy which must have startled and bewildered the spirits of these pastoral solitudes.

The amusements began with a gentlemen's race, a quarter-mile dash, free for all, in which most of those with mounts took part. Nearly all the horses had some speed for a short race. Capt. Seymour and Mr. Bucknill each had a pretty half-breed brown mare, sisters, both in fine condition and beautifully groomed; and Herman was mounted on a stout chestnut, with a vicious disposition; not much at a spurt, but fairly fast for a long race. The run was a spirited one, and May Queen, Mr. Bucknill's horse, carried off the prize, with Mariposa, Capt. Seymour's nag, second. The same three horses, with a few others, ridden by Englishmen and native Californians, next took part in a hurdle jumping contest, which was won by May Queen, who skimmed over the hurdles,— barely touching the brush on the top rail,— without any apparent effort or change in stride. Herman's ugly dispositioned beast cleared several of the hurdles, ran around one, and bucked over another. Then followed vaquero feats: picking up dimes, and writing on the ground by riders at full gallop, and lassoing; all skillfully performed and generously applauded. The last of the forenoon's diversions was the tourney, consisting of a cavalry sabre play, and tilting at rings, in which Capt. Seymour, Mr. Bucknill, Walter Stanley, Sigismund and a half-dozen others took part. Stanley was finely mounted on a horse that had been led to the grounds by a groom,— a well-bred, jet black gelding, beautifully bitted and trained to obey the slightest direction of its rider,— which he reserved for the tilting, not taking part in the sword contest. Sigismund had a little, active mustang,

fairly bitted, but nothing to compare in training with Stanley's horse. Two lines of grotesquely hewed and painted wooden soldiers were planted, the one close enough to the other to necessitate great rapidity of movement to strike each; and between which lines competitors were to run the gauntlet. Sigismund voluntarily took a position some distance in the rear, back of all the others. In the charge of the main body a number of heads of the soldiers were slashed and pared and a few ears and noses were sliced off, but not a single man was decapitated. When the coast was clear, Sigismund made a wild dash, his gleaming sabre flashing like a quiver of thunderbolts, and each soldier's head flew from his shoulders as down the the right line he flew; and then wheeling and galloping back, he scalped each warrior on the left. A tremendous roar of applause went up, and the victor arose in his stirrups, and saluted. The tilting was then announced by a trumpeter, and Stanley sprang lightly into his saddle, his horse curveting and plunging, while he sat easily and gracefully, his double reins in one hand, and his lance in the other, quietly curbing and calming him. He was evidently a perfect graduate of a fashionable riding school. His lance was one of those he had used in many matches and which he had brought with him from the East. They were perfectly made and balanced, while all those of the others were home-made and defective in weight and poise. It was Stanley who had suggested this particular trial of skill; it was his favorite diversion, and of which he was a master. All were quickly left behind, except Stanley, Sigismund and Capt. Seymour. But the superior equipment, finished skill and practice of Stanley was too much for them. He was himself evidently in excellent trim, and won by taking every ring, leaving Sigismund and Capt. Seymour, who were a tie, not as far behind as might have been expected from being so handicapped. If not as uproarious as that bestowed upon Sigismund, the applause was prolonged and hearty, and Capt. Seymour noticed that Anna clapped her hands with delight, and he heard her exclaim, "Most beautifully, most gracefully won." And he rode slowly away, with disconsolate looks, to where he kept his horse tethered. Mr. ap Williams,

turning to Mr. Macdonald who, in kilts and tarten and cap, was acting as master of ceremonies, every now and then glancing admiringly down at his knotted calves, said: "I have seen young fellows in Wales, at full gallop, hurl a lance through a dozen rings a foot apart, spitting them like a brochette."

"I'm beginning to think," said the Highlander, "that there are more lees on a Welshman's tongue than there are ticks on a St. Agnes deer. But these were bonnie sports and weel played."

Macdonald then strode rapidly to the stage, Sigismund following him, with a twinkle in his eye. He ran up the steps and facing the people, announced in stentorian tones: "It is now the hour o noon. The tables are spread wi gude things, an all are bade to fill themsels an be ready for the afternoon's entertainment which commences at sharp two."

Here Sigismund, who had snatched a violin from one of the orchestra, and mounted the stage through the dressing room, started the Highland fling, in a spirited and seductive way that was irresistible to Mr. Macdonald; and first one foot went up and then the other, and the Highlander was dancing, legs and arms, as if for the Caladonian championship, hardly conscious of the presence of an onlooker; and the people laughed, and clapped their hands and shouted. And when the last blow was struck by those boasted calves, John Stuart presented the proud Scot, amid a thunder of applause, with a bottle of Scotch whiskey, filched from the Highlander's own hamper, and an artichoke,— the nearest thing he could find to a thistle.

The luncheon, bountiful and elaborate in substantials as it was, was heartily partaken of and enjoyed, and the events of the morning furnished topics of lively conversation for the different groups of guests, and Sigismund, Stanley and Seymour were loaded with compliments on their skill. The Stanleys and Mr. Bucknill had joined Col. Morgan's party; Mr. Bucknill devoting himself to Martha, and Walter Stanley to Anna, with whom he carried on a vivacious conversation, telling her many incidents of his New York life in an easy and racy way. Mrs. Stanley, with great tact, won the interest of Col. Morgan in her description of

celebrities of the opera and drama she had personally met, and the old gentleman commenced to debate within himself as to whether his first impression of mother and son were not unjust. Walter Stanley's perfect skill in a game the favorite of his youthful days, and his agreeable manners, for the time being, awakened his admiration and dulled his feeling of distrust. Capt. Seymour and Herman, who received no part of the hero worship, strolled off to smoke their pipes together in congenial disgruntledness.

At two sharp, a gong was struck, and Mr. Macdonald again appeared on the stage and proclaimed that the afternoon's entertainment would begin with the presentation of a scene from the tragedy of "Medea," in which Mrs. Stanley would appear in the title roll, and Mr. Sigismund as Jason; that immediately after the tragedy Sig. Bolero, with his amateur troupe of singers, would render portions of the opera "Il Ritorno di Columella"; that the audience were requested to refrain from talking during the performance.

It is impossible for the chronicler to describe the acting and declamation of Mrs. Stanley, and the effect it had upon the spell-bound audience. Sigismund, carried away with its power, responded in his part, with talent few professionals could aspire to. Her enunciation was so clear and distinct that the lowest word reached the listener's ear, and in her bursts of passionate declamation, her voice swelled in volume until it seemed to fill the valley and echo in the hill-tops. No one present had ever in their lives seen or heard such a wonderful rendition of mingled fury and tenderness, love and hatred, cunning and pride, as she embodied in the character of the beautiful sorceress, and the audience paled and shuddered when she steeled her soul to the unnatural deed, and in passionate, sobbing, despairing accents, cried:

"But come, be armed, my heart; why delay this dreadful deed? Come grasp the sword, O wretched hand of mine, grasp it, and advance to this life's bitter goal. Be not a coward; nor remember how dear thy children are, and that thou it was that brought them into the world; for this short day at least, forget they are thy children — lament hereafter. For though thou slayest them, they yet to thee were dear; but I — most wretched of women."

Walter Stanley had risen, and stood, his hand rigidly grasping his lance, with which he had been toying, while talking to Anna, his face pale and mouth set, and his eyes fixed, with an expression like terrible dread, upon his mother, who seemed to fasten her gaze upon him.

"My God," he exclaimed, "I never heard her in this."

The Baron drew in a long breath, and turning to the Colonel said, "I never before believed that woman killed her children, but I believe it now." Little Beatrice had buried her head in her mother's bosom, her little frame trembling with fear. As Sigismund appeared from the dressing room, he said to Herman:

"*Mon ami,* our friend Walter had better be careful about raising the devil in his dear mother, for she would not hesitate as long as did the character she immortalized to-day, to sever with a blade or bullet the maternal relation. But she is a genius, and I would be most happy to be her manager in a starring tour. People will now be transferring their inquisitiveness from me to her, and be trying to discover her origin and early history."

Before the people could recover from the spell of Mrs. Stanley's acting, and sound a note of applause, the opera had commenced; but not until the admirable buffo singing and acting of Sig. Bolero as Columella, in the Charlatan scene, did they fully recover their full consciousness and give way to merriment and applause.

## CHAPTER XXIX

### HERMAN STARTS CAMPAIGNING

THE proper time for the opening of an active political campaign in St. Agnes could be as readily determined, by certain infallible indications, as could any periodically occurring event in nature. At such time the families of most of the native population became ill, or destitute, and an incredible number seemed to die and require proper burial, or the children had to have clothes to be decently confirmed in. Also there appeared to be an epidemic of accidents and of rheumatism among the able-bodied men, unfitting them to earn their living by work, and it became the solemn duty of the candidates to furnish the means to relieve these conditions of distress and provide for these wants. Then, anyone that could scrape a few notes on the fiddle, pound a drum, strum a guitar, or sing, with a good nasal twang "*Mi gustan todas,*" developed into a musician whose services would be invaluable in creating enthusiasm and winning votes. A number of skilled cooks would spring up who could cook to perfection, in true Mexican style, anything from a tamale to a bull's head, baked in a hole in the ground, and whose skill was a necessity to satisfy the stomachs and seduce the allegiance of the voters. Idle vaqueros at that time patroled the streets ready to ride any distance and deliver any letters or instructions or packets to workers. It was wonderful how everyone you met, according to his own assertion, could control a score or more of other voters who would do just as he commanded. There were as many leaders among them as there are noblemen in Poland, and each one required a goodly fund to spend in drinks, cigars and *carne con chili* with his retainers. It was considered no disgrace, rather an honorable privilege, to levy toll upon a candidate for any of such purposes. There was one saving characteristic in

these tax gatherers, the only thing that preserved an officer's salary from complete annihilation in the process of obtaining the office, and that was, while they would ask of you twenty dollars they would cheerfully accept one, and have been known to compromise on "two bits."

The drain had already begun on Herman's ready money, and he realized that it was best to bestir himself in vote making. No such foolish principle prevailed in St. Agnes that the office should seek the man, but everyone, from the highest to the lowest, thought his vote worth asking for, and it was considered a want of appreciation of his influence and a personal slight not to request it. What little canvassing was needed in the immediate vicinity of the town of St. Agnes, which was his stronghold, had already been made.

Dr. Vanderpool had also come to the conclusion that the time had come for him to drive Herman through the northern end of the county; besides, he wished to visit without further delay the Domingo Ortega tract, do a little prospecting, and plan to get some revenue from it, in anticipation of the development of its hidden wealth. So he arranged with another orthodox physician, an Englishman, who had once been a surgeon on a British liner, now married and settled for life in St. Agnes, to attend to the ailments, real and imaginary, of his patients in his absence. Mrs. Stanley, who had been under his constant care since the picnic's strain upon her nervous system, had just told him that it would be a relief to her to have him out of sight for sometime, and so he was free to make the trip. As there were no ladies of the "Smart Set" to call upon and no fashionable audiences to appear before, and linen shirts on a ranch being deemed an affectation, the Doctor's buggy, which was provided with a brake, easily carried the two and their luggage.

The itinerary was to cross the mountains, by the San Lucas Pass; spend the night at the home of Don Ramon del Monte, near the old mission of Santa Anita on El Camino Real, and drive from there through the ranchos held under Mexican grant; and returning by the Cordero Pass and the coast, putting up at night at certain ranch houses whose proprietors Herman knew—everyone knew the

Doctor. The trip, with Herman, as well as with the Doctor, was not altogether in the interest of politics. He wished to go over El Roblar Viejo Rancho, have a talk with Antonio Castaños, and also interview Gen. Peters, at his road house at the head of Cordero Pass, where they had planned to spend a night.

The first day's drive was over the mountain. The narrow, rough road, with steep grades, requiring the hind wheels of the stages to be locked with a chain and of other conveyances with at least a stout rope, ran along about the trail Fremont had taken when he crossed the mountains, into St. Agnes. The view was grand and grew grander as they ascended; the valleys slowly receding; hills that below were mountains shutting the seashore from sight, sinking into the plane, as the ocean stole up from the horizon and gradually spread out a gleaming girdle from mainland to islands; the stretching out from the mountain-side of ravine after ravine, hidden from the lower levels, in which rested homes and vineyards and orchards, and then hills, valleys and ravines blending into one great length of many-hued ocean-bordered carpeting, spread for miles, three thousand feet below; and when the summit was reached, a grand panorama of the landscape, framed in rugged, broken mountain sides, with ribs of rock and promontories and peaks, brilliant in ever-changing tints. Down from the summit on the other side the grade was easier, and the road led through woods and across mountain streams, and as it approached the Santa Anita Valley, skirting the steep bluff of the river, the mountains, lost to sight from the crest down, emerged into view, more broken and varied in features and coloring than where they stood guard over the St. Agnes valley, while rising beyond them were the picturesque peaks of the remoter range.

Neither one of the travelers was inclined that morning to be talkative. The Doctor chirruped to the horses and played his accustomed tattoo with the reins on their backs, and here and there pointed out certain land marks.

Beautiful scenery, like fine music, always unchained the fancy of Herman, and set him improvising pictures of his own. A rare delight and resource when the eyes grow dim and the ears can no longer hear the whisperings of

the world of matter, and her perfumes cease to enchant the impaired senses, which the worshiper of nature in her visible forms in detail and a realist cannot invoke. The peculiarity of the shifting scenes of the landscape as they journeyed upward was the inspiration of a picture he painted in the climbing of a true soul from the lower levels to the nobler heights.

Herman's revery came to an end as the Doctor pulled up under a clump of trees beside a cool mountain stream, and gave the order, "Get out the lunch basket, boy, and put those beer bottles under that little water-fall, while I tie up."

He obeyed orders, and the lunch soon disappeared, to the last crumb; and then a smoke and a little siesta and the couple were again en route.

Just before reaching the valley of Santa Anita, some distance from the road, in a grove of trees, the Doctor caught sight of a little column of smoke.

"Humph, campers. We will see who they are. May get a haunch of venison to help Don Ramon along in his supper;" and so saying, the Doctor turned aside and drove up to what proved to be, as he divined, a camp. A fat red-faced young fellow was slicing some venison ready for frying, on one side of the fire, and on the other, a stoutly built man with a defect in one eye was, with little regard to conventionalities, taking a bath in a bread pan.

"Humph," muttered the Doctor; "Finland and his affidavit-man. Helloa, *agramensor;* anything new?"

"*Que ay,* Doctor! How are you, Thomas? Thought, Doctor, you'd be sneaking around just at this time. Will be at your ranch day after to-morrow."

"Helloa, boy," said the Doctor, turning to the party conducting the culinary operation; "see you have a fine deer. More than you two can get away with, isn't it?"

"Twice as much as we want, Doctor," said Finland; "and if that's what you're aiming at, we'll divvy with you, if you will hand us over a couple of cigars. I suppose you are doing a little campaign work, Thomas? I'm in better luck, I'm the only darned fool that will accept the office of County Surveyor, in this God-forsaken county, which is about one hundred and fifty miles long and — it

seems to me — as many wide; and three quarters of it mountains a goat can't climb." And Mr. Finland took his shirt from his tripod, where it had been hanging, and dried himself with it.

"Where have you been?" asked the Doctor.

"Oh, I have been running a line for old Capt. Monoghan, and it was a devil of a job. When he takes off his boots and rolls his pants up above his knees and strikes across country, there isn't a man in the county, unless its old Macdonald, can follow him. And then he keeps pointing out what he calls monuments a quarter of a mile or so outside where the true ones are, to make the ranch as big as he can. I'm a pretty good witness generally on boundaries I survey, or I would not be a U. S. Deputy Surveyor, but d——d if my conscience and reputation would let me swear through the lines he wants. He keeps singing out, 'Sou, Sou-West, a little Southerly;' and said I knew as much about surveying as a ship's lawyer, and wanted me to box the compass. Do you think, George, you could swear through the line the Captain wants?"

"It makes no difference to me," said George, "you're the boss; I swear to what you want and don't swear to what you don't want. All affidavits are the same to me."

"Well, it's getting late, we must be off," said the Doctor; and he and Herman renewed their journey, handicapped with the greater portion of Mr. Finland's deer. They arrived in good season at the home of Don Ramon, a long comfortable ranch house on a little mesa not far from the bank of the Santa Anita River, with shade trees about it. Don Ramon and two or three of his sons went out to meet the visitors and an Indian unpacked the buggy and another led the horses to the stable.

"*Señores, amigos queridos,* I am delighted to see you. I welcome you to our humble home. We poor rancheros are too seldom cheered with a visit from our friends from Town. Come, the ladies will be charmed to meet you." And Don Ramon led the way to the house. On a chair on the porch sat an old man with snow-white hair and beard, and boyish complexion, neatly dressed in black, who arose as they came up and bowed.

"This, gentlemen, is our good friend, Dr. Delglada,

one of the family," said Don Ramon. "He is like a Chinese doctor; with his simples he keeps us all from getting sick; and if by chance when he is not around an ailment gets hold of some one of us, he vigorously purges it away with senna and native herbs — *no, medico mio?*"

"Your servant, gentlemen," said the old man. "Don Ramon is right, my remedies are simples; but it is with simples that nature prolongs life. Look at me, gentlemen; am I not a well preserved man? Yet, I am considerably over four score. It is these simples that keep me young. Without charge, I am willing to impart my secrets to others. Now, Mr. Thomas, if you get a twinge of rheumatism, take three cups of ptisan a day, and for dinner eat a boiled bell pepper, stuffed with olives and onion. If you are threatened with a fever, take three cups of ptisan a day, two prickly pears, or if they are not in season, a few slices of pumpkin and a tortillo rubbed with garlic. If you have indications of a cold, take three cups of ptisan a day, two soft boiled eggs with some salsa and a little honey. If you have drunk too much the day before take three cups of ptisan, and leek soup *a la bordelaise.*"

"Very good, Doctor, very good," said Don Ramon, "but do not give Mr. Thomas too many remedies at one time, as he might get confused, and take the rheumatism prescription to sober up on."

"Well, Mr. Thomas," said Dr. Delglada, "I will be most pleased to instruct you in my specifics to prevent disease. They are all simple products of nature, and I treat myself and others just as nature prompts one. Have not you remarked, how nature in its thoughtfulness regulates the seasons; the currants and gooseberries come first to flush the system, and then later it sends the season of blackberries to shut off the flow."

Herman thought of Dr. Sanglado, and expected him to include bleeding in the treatment.

The living room, comfortably furnished, with a piano and guitars in one corner, was quite crowded. Doña Maria Antonia, the wife of Don Ramon, with a bevy of young ladies about her,— several of them her daughters, four or five sons and some visitors from neighboring ranchos were present. Don Ramon ushered the two new arrivals

into the room and introduced Herman to each and all, while the Doctor, who was known to everybody, exchanged greetings right and left. Herman, diffident as he was, and particularly shy about expressing himself in Spanish, was spared a trying effort to be talkative, as Don Ramon was only too glad to monopolize the conversation. After a few minutes spent in becoming acquainted, Herman and the Doctor were shown into a comfortable bedroom, the neatness of which would have been satisfactory to a New England housewife, where they got rid of the dust of travel, preparatory to gratifying an appetite of no small proportions. Soon after their return to the salon, dinner was announced and they repaired to the dining-room and sat down to a long table; Herman being placed at the right hand of Don Ramon, and Dr. Vanderpool between two of the liveliest of the young ladies who kept him constantly on the alert to parry their sallies which were particularly addressed to his devotion to the fair sex in general and his failure to tie himself to any individual one.

"Humph," said the Doctor after considerable chaffing from the young ladies, "a Doctor, a soldier, or a sailor, ought never to get married, any more than a priest, at least until they are on the retired list, unless he wants a taste of purgatory before his time. Wives are always jealous."

"Oh, *maldito*," exclaimed one of the fair ones, "you are growing vain, indeed; and what woman would be jealous about you, Señor Doctor? A woman is jealous of nobody who has no sentiment and is not capable of falling in love."

"You might think differently as to my having sentiment and being able to fall in love, if I could come oftener to Santa Anita," replied the Doctor.

The dinner was an excellent, as well as a bountiful one, the venison having arrived in time to appear as a delicious dish; and Herman had never before realized how much delicacy of flavor could be given a stuffed onion and an *ensalada a l'español*. He looked from his host down the table to the hostess, and he thought of the hospitality of the olden times, as painted in Spanish romance.

When the dessert appeared, Don Ramon filled his glass, arose and addressed those present:

"Ladies and gentlemen: It has been my honor and privilege to make you acquainted this evening with my distinguished young friend, Mr. Thomas, who is a candidate for district attorney of our county. As you see, he is a gentleman that a Spaniard might feel proud of voting for and one that would fill the office with honor and ability; and you will notice the marked contrast between him and his opponent who visited us a few evenings ago and has left his marks in the tobacco-juice frescoings upon our floors. I wish to pledge his health and success and ask you to join me."

Bravos and the clapping of hands and the emptying of glasses followed the toast, and Herman in a few words gracefully thanked his host and all those who had so heartily wished him success. Whereupon the applause was heartier than ever. It might be well to say here that Don Ramon and his retainers worked and voted for his opponent. He was on his, the Democratic ticket, which was headed with his friend, Nicholas le Roy, the candidate for sheriff, and it was too much trouble, and might create confusion to do any scratching. It was a lesson to Herman not to interpret a Spaniard's political loyalty or devotion from his hospitality or polite social attention.

The evening was spent merrily in conversation and music, to which Herman contributed his mite, and a waltz or two in which he took part, with partners as light as feathers and graceful as fairies. When the Doctor and he retired to their room, Herman expressed his satisfaction and pleasure with their reception and the evening's doings, and said, "Well, Doctor, Don Ramon will doubtless carry this precinct for me by a nice majority."

"Humph, wait, my boy, till after election. With our worthy host, it is a case of *mi gustan todos*, and the devil will only know before election day which candidate *mi gusta mas*.

## CHAPTER XXX

### RANCH LIFE AND DIVERSIONS

THE campaigners were up bright and early and walked out into the glow of the approaching sunrise and drank in the cool crisp air; for if the days in Santa Anita were warmer, away from the mists of the sea-coast, the nights were cool and bracing; and in winter the pools and puddles at daybreak had a film of ice on them, and the breeze waylaid by the snow-capped peaks of the San Rafael Range bit like a breath from a northern clime. Dr. Delglada was taking his morning constitutional, doubtless after a cup of ptisan, in front of the house and greeted our friends cordially, and a number of Indians were about, engaged in different employments; carrying water or fagots, leading horses and driving sheep and cattle.

"There seems to be quite a tribe of Indians here," remarked Herman to Dr. Delglada.

"Oh, yes, there is, as you know, a rancheria on the river near here, and they all look upon Don Ramon as their feudal lord, and work for him and obey him in everything, fight for him and swear for him as witnesses to whatever he wants to prove, and they think I am a great medicine man."

Here the party was joined by Don Ramon who shook hands with them warmly, inquired how they had spent the night, and invited them to take coffee and a tortillo. The travelers could not wait for the substantial *dejeuner a la forchette* which came a few hours later; but found when they started that a bountiful lunch had been stored in the buggy by the direction of the thoughtful host. The whole family gathered to say good-by and wish the visitors an enjoyable tour.

Herman was charmed with the beauty of the Santa Anita Valley, and as they drove along expressed his pleasure and enjoyment. It was a rolling country with beautiful slopes,

with groves of live-oaks, through which wound picturesquely the Santa Anita River, its banks skirted with trees and plants, and the mountain ranges towering above, brilliant in changing hues. There was a bewitching spirit of peace that seemed to hover over the landscape, and the pipings of the song-birds, and the liquid notes of the quail, and the mournful cooing of the doves, were a choir in accord with the genius of the scene. The Santa Anita valley differed distinctly from the St. Agnes valley, and the range of mountains separating them appeared to be the boundary line between two countries, differing in physical aspect and, to a certain degree, in climate. By crossing the mountain chain, the inhabitants of the one could find in the other holiday change of scene and healthful contrast in climate, as marked and beneficial as in a trip to another continent; and at the present day, when St. Agnes has become a city of wealthy people from all parts of the world, there are in the beautiful Santa Anita hotels and cottages, the resort, at nearly all seasons, of residents of St. Agnes, who bask in the warm sunshine and grow strong in the evening's crisp cold; wander over her slopes, through her ravines and up her mountain sides, with rod and gun, for the game is still plentiful and the trout have not been exterminated from the streams. They drove up the valley, skirting the hills and through a long ravine, a miniature mountain pass, stopping at the few homes on their way and meeting now and then sheep and cattle men and interviewing all, giving Herman's election cards. At noon they halted at a spring, watered and staked out their horses to browse upon the alfileria, the native clover, and ate Don Ramon's lunch and enjoyed the exquisite luxury of the California traveler's noon-day siesta on the road. After resuming their journey, as they approached a ranch house, one of the stage stations, where relays of horses were stabled, they were greeted with a remarkable spectacle. Chairs and tables came flying out of the door followed by a red-faced old man with a revolver in his hand, who was screaming out the most fearful imprecations. He threw his hat on the ground, and dancing on it, sent forth a torrent of blood-curdling blasphemies, calling the deity the most terrible names and shooting his revolver up into the sky. Some of his children

strolled out after him, one a tall, dark-skinned, sable haired and bearded man, with flashing eyes and a desperate look. They simply stood upon the porch and watched the old man as they would a mad bull, while on his ox-cart just ready to start, stood El Erizo, quietly rolling a cigaritto, seeming to take quiet enjoyment in another man's temper. The Doctor, not the least dismayed, drove up, shouting, "Ship ahoy," at which the old man lowered his revolver and wheeled around facing the buggy as it drove up and stopped before him.

"Helloa, boy, what's the matter? Letting off steam? Some *gachupino* been branding your calves, or do you think you're aboard your craft once more, with the black flag flying? Stop that piratical hornpipe and pipe all hands to grog; I have something that will calm your temper." And the Doctor opened his saddle bags and took out two or three tiles of "nigger head" tobacco and handed them to the irate gentleman, who sheathed his firearm and seized the offering with avidity.

"And what the devil are you doing here, you meddlesome old body-snatcher? If I hadn't emptied my gun firing long range at a bigger target, I'd have given you a chance to operate on your own carcass in cutting out an ounce of lead."

"Humph, boy, I know you; you're a still hunter, and when there's all that bark there's no bite. This is my friend, Mr. Thomas, candidate for district attorney; sure to be elected; better work for him, and he'll let you off easy the next time you're indicted. Mr. Thomas, Capt. Hickson. Say, Bill," turning to the black-bearded man, "you must help our friend, he's a good fellow and one of the boys."

"That's all right, Doc," said the old man, "I like his looks, but he'll never get a chance at this old salt. Since I sailed as captain's boy out of old England, some sixty years ago, the courts or lawyers have never had any fun out of me. I know how to hold my own and get even on my enemies without putting my head in the law's noose;" and he led the way to a room, post office, part store-room and part bar-room, where he served out native wine and

aguardiente at a "bit" a drink. Herman invited the old men, the boys, El Erizo, the hostlers and the Doctor to wet their whistles, in true candidate style.

"What's the matter with the old man, Bill?" said the Doctor.

"Oh, he's mad because I wanted to put a hole through a gringo butcher who's been around the country buying up cattle for less than they're worth. He says he's skipper of this ranch and any shooting that's to be done, he's going to do it."

The old man and the boys turned out active and loyal workers for Herman and when the former died not long afterwards he settled the estate. He left his temper to his sons, and his estate equally to his widow, a native of good family, and his five sons and six daughters; it was divided up into equal shares and lots drawn and each took the portion allotted without a murmur, and as long as the mother lived there was not a discord in the partriarchal band. The daughters were women of character and married well. Herman always had the idea that the boys were afraid to quarrel about the ranch, believing that the skipper would appear in fire and brimstone and assert his prerogative backed by the hosts of Satan.

El Erizo asked the Doctor when he would be at the Domingo Ortega Rancho, and if the *agramensor,* Finland, would be there, saying that he would come over at the same time. He wanted to talk to all three about his rancho, and see if there was a way to beat the *diablo* Pinto Brookies.

While our friends were at the Hickson Station the wind was blowing from the south-east and the clouds were piling up in the west, and the Doctor remarked, as they started on their way that it looked as though they would have that night the first rain of the season.

According to programme, they were to spend the night at Los Sucos Rancho, of which Herman's good friend, Bucknill, was superintendent and owner on shares of an interest in its live stock. They were expected by the host, as was also the Sheriff who was to arrive from another direction. When they reached the ranch house, at sun-

down, the sky was hung with clouds which were massed in heavy drifts in the west, and the rain had commenced in a sprinkle that turned to a downpour during the night.

"Welcome, Doctor; glad to see you, Thomas. Just in time to escape a drenching. It seems that the rains are commencing early this season. Helloa, John; take these gentleman's trap;" and a short, stoutly built Englishman, with a round red face, John Hobson, or as he called himself, Obson, appeared and drove the horses to the stable, where the Sheriff had just arrived on horseback and was attending to his steed.

There was staying at the ranch house with Mr. Bucknill, a relative of the owner, Mr. Charles Boalt, an extremely polite, nervous, little man, thin visaged and with bilious complexion, who spoke in jerks in a low tone. He made two or three low obeisances to Herman on being introduced and backing at the same time fell sprawling over a bag of flour. On recovering himself, he exclaimed pettishly, "D—n that fellow, John, he's always leaving things where they oughtn't to be; he left the currycomb in my bed last night."

The other members of the household consisted of Mr. Obson and the cook, Sam, a piece of wrinkled parchment in the shape of a Chinaman, who insisted on being introduced to all guests he bestowed his culinary skill upon. As the Sheriff came in from the stables, Sam appeared in the kitchen doorway with a butcher knife in one hand and a string of chili colorado in the other.

"Sam, you know these gentlemen," said Mr. Bucknill; "this is our Sheriff, Mr. Miller."

"Me sabby Shelif; he come lanch befo, lookee for hoss thief; he play pokel velly well; he beat Miss Bucknill; but John he catchee money evelybody allee time."

"You're right there, Sam, John has more luck than a red-headed Mexican," said Mr. Miller. "Do you know this gentleman with the corkscrew beard, Sam?"

"Me sabby Doc Vandelpool. My cousin had hahl lip; he no could talkee muchee. Doc Vandelpool makee new lip fol him; he now talkee allee time, no good."

"Well, Sam," said Mr. Bucknill, "you don't know this

gentleman, Mr. Thomas; he is running for district attorney."

"Allee same job Missouli Bill got. Miss Thomas velly young. He no big voice; no could scale bad man velly much."

"Well, Sam, when he has to make a man tremble with a big voice, he'll get Mr. Roncador to help him."

Sam retired to his department and pretty soon appeared and loaded the table with a well cooked supper, principally *a l'español;* one dish being some baked vegetable marrow which the guests thought superior to anything in the vegetable kingdom they had ever eaten. Dinner over, after a look had been taken at the stables and Mr. Obson had finished his duties, and the members of the household were smoking their pipes to the staccato of Sam's whirlwind dishwashing, the rain commenced to fall in torrents. Mr. Boalt seemed peculiarly nervous, got up, ran to the door, opened it, looked out, and returned to his chair, only to get up and repeat the performance.

"For heaven's sake, Charlie, what's the matter?" said Mr. Bucknill.

"Hem! hem! D—n John, he left my pajamas hanging on the line in the corral and I'm afraid they'll get wet."

"I thinks Mr. Boalt, there's no doubt about that," said John.

"All you have to do, Charlie," said Mr. Bucknill, "is to strip and run out and put them on and come back and dry by the kitchen stove."

Mr. Boalt, believing the suggestion made in good faith, got up and commenced to disrobe, when Mr. Bucknill said, "Stop, Charlie; sit down, I'll lend you a pair; all you'll have to do is to take a reef in the arms and legs."

"What a glorious evening for a game of poker," exclaimed the Sheriff; which exclamation must have reached the kitchen, for there was a tremendous clatter of dishes, and then silence, and not long afterwards Sam appeared in a clean blouse and a pipe in his mouth.

"Humph, Miller," said the Doctor, "you are correct; I don't know any two things that go as well together in Southern California as a game of poker and a rain storm.

A little ten-cent-ante would be a good, Christian way of spending the evening."

"Well, gentlemen," said Mr. Bucknill, "I am in for a little game. If we don't bar out John,—whose luck would get away with a professional,—we have five, as Charlie don't play. Just the right party."

"I don't see why you should bar me out. I as to make something someow more than the wages I gets ere, if I wants hever to get hout of the country."

"Before we begin, John, go get a couple of bottles of that Tajiguas red wine; it will help along the game, and we can drink a toast to the glorious rain."

John soon returned with the bottles, Sam, in the meanwhile having produced a half-dozen of glasses of all sizes and shapes, which Mr. Bucknill filled from one of the bottles. The Doctor lifted his, and with a "here's how," disposed of about half of its contents and set it down with a clang that nearly shivered it, his mouth drawn, and an expression of disgust on his face.

"By the Lord Harry, camphor mixture," he exclaimed; "You've got the belly-ache bottle, Bucknill, instead of the wine."

"It would seem so," said Bucknill, with a wry mouth, after tasting it. "John, did you get this out of the closet in the storeroom?"

"Yes," said John, "I took the first two I comes across. It looks as if that one ad been hopened before."

"You're right; it has," said Bucknill; "Charlie, have you been doing anything with the wine?"

"Hem! hem! You see," said Charlie, "that d—d John is always leaving the closet door open, and the sun got on the wine, and I uncorked a bottle and tasted it, and it was getting sour, so I put some camphor in to preserve it."

"You blooming idiot you; and how many bottles did you preserve?"

"I only had camphor enough for one, and intended to wait till I got some more from St. Agnes to treat the others."

"If you ever touch another I'll break it over your head," said Bucknill.

The Doctor washed the medicine taste from his mouth

with a bumper from the other bottle, and the game commenced. The cards showed signs of considerable use and different colored beans took the place of chips. Sam had planted his chair where he could see the most hands and sat as silent and immovable as a graven image, except when John landed a big pot or the Sheriff won on a stupendous bluff, when he would emit a grunt, whether of admiration or disgust, no one could tell. There was not much at stake, and the tide of winnings ebbed and flowed. John was the only one who seemed to keep always ahead, and the Doctor and Herman soon discovered that it was not altogether luck upon his part. No one could guess his hand or interpret his play, any more than they could detect any change of expression in his stolid countenace; and they had caught him in some thoroughbred bluffs worthy of a reckless sport. So the game was enjoyable in every way. It was agreed that it should end at eleven o'clock prompt. This hour was about arriving and the last hand was dealt. It proved to be a betting one. After one round Herman and the Doctor laid down their hands, while the Sheriff and Bucknill kept raising each other; John always seeing the raise, and finally himself raising them the limit. The Sheriff and Bucknill hesitated and looked at John, but no enlightenment was obtained from his sphinx-like face. There was a considerable pile up and they both believed he was bluffing; he had drawn four cards; but they were afraid to risk any further bucking against Mr. Obson's proverbial luck, and called him, at the same time laying down their hands. Bucknill had a queen full on jacks and the Sheriff four kings, at which display John was gazing absent-mindedly.

"Well, John, show-down; what have you?" exclaimed the Sheriff.

"Four haces, sir," said John; and he quietly laid them down and stoically swept in the pile.

"Ugh," ejaculated Sam; "John, he biggest Clistian in the countly; byem by he stalt mission school teach Clistian game to heathen Chinee."

## CHAPTER XXXI

### PAT O'NEIL'S WAYSIDE REFUGE

By morning the wind had gone down and the rain was over; and the sun appeared bright and clear above the horizon, mirroring itself in the pond in front of the house, and burnishing the backs of the carp as they darted to the surface, and turning to polished silver the pools and puddles and to diamonds the rain drops on trees and plants. And the bachelor lodgers turned out of bed and splashed themselves with water and dressed and sang and whistled, with a chorus of complaining turkeys, cackling chickens, quacking ducks and barking dogs, while the atmosphere was perfumed with the sweet, fresh scent of the earth bathed by the first rain.

Mr. Boalt was the first to get rid of his long-drawn-out pajamas and into his clothes; and as he started to the door was hailed by Mr. Bucknill who asked him to look at the rain gauge and report how much water had fallen. Mr. Boalt returned in a few minutes, and shuffled around the room.

"Well, Charlie," called out the Sheriff, "how much was it? I will bet on an inch and a half."

"Hem! Hem! D—n that fellow John; he emptied the wash basin into the gauge and it reads ten inches," replied Mr. Boalt.

The Sheriff, Dr. Vanderpool, Mr. Bucknill and Herman, held a caucus while awaiting breakfast and planned for the political work to be done on election day. Mr. Bucknill was very popular, especially among the native Californians, and he expected to be of material assistance in the campaign. He volunteered to accompany them, he and the Sheriff on horseback, to Pat O'Neil's, a country grocery on their road. Immediately after breakfast, having bade adieu to Mr. Boalt, Obson and Sam, they were off on their

third day's travel. Owing to the downpour of the night before, the roads, bad at any time, were doubly bad and the horses made slow progress.

They stopped at a couple of ranch houses, where they were received hospitably, and about noon, after traversing a broad plain, they arrived at the weather-boarded structure that constituted the domicile and grocery of Don Patricio O'Neil, as he was called by the natives and Pat O'Neil by the Americans and O'Nale by his own countrymen. Mr. O'Neil appeared on the porch, driving off an old sow with her pigs, and invited the gentlemen to enter, ordering his boy to look after the horses. From the sounds of festivity borne to the ears of the arrivals, they were informed that Pat's grocery was already occupied by a merry party. The first to attract Herman's attention as he went in was the familiar figure of John Stuart, seated on a pile of barley sacks, in a cloud of smoke, feeling his biceps; and balancing himself, with some little difficulty, on a whisky keg nearby, sat a man who might have been thirty or fifty, it was impossible to tell from his countenance. He was about five feet eight inches in height, his frame apparently without flesh, and warped, bow-like, a little sideways; with a long, smooth-shaven face, and mouth twisted in the opposite direction from the bend in his body, a huge nose and ears like polished clam-shells. He was Capt. Hartshorn from Maine, the owner of a little fleet of schooners engaged in the Mexican trade, who occasionally visited St. Agnes for his health, he said, but others intimated for change of grog. Herman had met him in St. Agnes and liked him. His whole time was not devoted to grog, and he was good-hearted, quiet and gentlemanly, and was a shrewd trader. Leaning with his back against the redwood counter, a short clay pipe with inverted bowl in his mouth, his time-stained slouch hat crushed rakishly to one side, stood a jolly-faced, typical Irishman, by name John Mulcahy, a good farmer and faithful, hard-working tiller of the fields of a neighboring rancho. He could not read or write, but made up for the want of these accomplishments in quick-wittedness, a wonderful memory and a droll Irish tongue that was too much for those that invited its exercise by chaff or banter. Pat himself was

not unlike Mr. Hogan in looks and, like him, possessed more shrewdness than learning. Pat's guests had evidently been partaking reasonably freely of the whiskey he furnished at a living price to his patrons and the travelers that chanced to pass that way. It was celebrated in the county, not even excepting the inhabitants of St. Agnes, for its youthful strength and the rapidity with which it produced the desired exhilaration, and sheep-herders and vaqueros traveled for miles to indulge in its soul stirring magic. In the corner of the room, beside a bundle of pick handles, were stacked a couple of shot-guns and rifles, and on some bags of beans were thrown game bags, fishing tackle and other sporting accouterments.

"Helloa, boys, glad to meet you; anything new?" said the Doctor, as the newcomers entered.

"Hurrah, lads," cried Bucknill, "if here isn't the cook and the Captain bold, and the mate of the *Nancy Lee*."

"Shiver my timbers," exclaimed Capt. Hartshorn, who, when elevated through the influence of the cup, delighted in the use of romantic sailor parlance; "a delegation of the nobility, pilgrims to the Hibernian fountain of joy. Throw them a line, Pat; man the capstan, John, while I welcome them on the quarter-deck;" with which he wriggled himself to his feet from the barrel, made a straight run to John Mulcahy, took a tack and landed in the arms of the Sheriff, who replaced him gently on the keg.

"Begorrah," said Mr. Mulcahy, rubbing his ribs, "the Captain's weather beam is as sharp as his bowsprit. You must excuse him, gentlemen; he has his say-legs on, as he calls thim, and Misther O'Nale's assembly room is too short for thim. What a foine stepper he'd be in an earthquake."

"A most unexpected and happy meeting, my friends," said Mr. John Stuart, arising from the barley sacks and waving a welcome with his meerschaum. "You are just in time. Pat, stretch your gridiron and put on some more doves to satisfy the pangs of these wayfarers, and pass around the chainlightning."

"And Pat, dear," whispered Mr. Mulcahy, "wather the stock for the Captain."

"Capt. Hartshorn and I," continued John Stuart, "are

after big game, but when the doves and the quail are impudent enough to run between our legs, we descend to keeping our larder replenished with them."

The last round of Mr. O'Neil's peculiar brand of spirits, whether from the fact of its having been in his case diluted, or whether it was one of the usual stages of his journey to the fountain of joy, Captain Hartshorn became sentimental. Addressing those present, he said in tearful accents:

"When you are in a primitive habitation like this, out in the wilderness, dependent on your gun for your subsistence, and no voices except those of nature to speak to you, don't your thoughts go back to scenes of happy companionship, where bright eyes looked into yours and sweet voices spoke and sang to you; and does not some fair being who spoke and sang more sweetly than others appear as a vision before you? Ah, such a vision I see now, and I think of the last evening we spent together when I sang for her the song we were both so fond of: 'Her Bright Smile Hants Me Still.'"

"Sing it, Captain," said the Sheriff. "We'll first have another round of Pat's lightning, and then we can stand it."

The Captain cleared his throat as well as he could, and launched forth in a downcast tenor, his voice broken with emotion, and worked his way bravely to the line *de resistence* "her bright smile ha-a-a-nts me still," when he put his hand over his mouth and shot in a beeline across the floor out the door. John Stuart planted himself in the middle of the room, drew out his watch and counted off five minutes; then in a stentorian voice called out, "Time, Captain, time."

The Captain appeared, looking pale, steered himself to his seat on the keg, looked around at the audience, and in weakened tones, repeated, "Her bright smile ha-a-ants me still," the last word being lost in a hiccough. Just at this moment Pat, who had disappeared from view, returned and announced that the grub was ready. The Captain sat helplessly crouched down on his keg; the others looked at each other, hardly knowing what to do with him, when Mr. Mulcahy grabbed with one hand a gunny sack and

the Captain's arm with the other, and before he was conscious of what was taking place, rushed him out to the horse trough, pulled open his shirt, held his head over the trough, poured a bucket of water on it and scrubbed it with the gunny sack as if he were holy-stoning the deck of one of his schooners; then giving him two or three shakes, as a terrier would a rat, he shoved him back into the room, and with a final shake, exclaimed, "I've settled your timbers and toightened your hold; now ye divil go and take in some ballast." And the Captain, apparently as sober as a judge, meekly followed the rest into where the feast was spread.

Pat's cooking did not in any way resemble that of Mr. Latour's, but the doves were certainly not spoiled by it.

"How much superior the doves in this country, as edible game, are to the quail," said Mr. Bucknill; "they are fat and juicy, while the quail are dry and do not seem to have the game flavor they have in colder climates."

"The finest game in this part of the world, the finest shooting and the finest eating, are the ducks," said John Stuart, "and they are of all kinds. It requires more skill to bring them down than with any other birds, unless it may be the jack-snipe, and there are so few snipe about these regions that they do not give a hunter any satisfaction."

"I think you're right," said Mr. Bucknill, "and if you will come up after the winter rains have set in, we'll go over to the laguna, and give you a better time than you get in your smokestack near St. Agnes."

"A leg of lamb is a rare bird, gintlemen, whin it's bin hung for a few days," said Mr. Mulcahy, "and although you don't have as much fun hunting for it, it bates all your venison and ducks and doves."

"We can understand that from Mulcahy," said Capt. Hartshorn, who had recovered his spirits, "for mutton to a sheep man is like jerked beef to a cowpuncher, it's his steady bill of fare, and it would be treason if he went back on it. A sailor like me who sails his own craft in many seas and in all kinds of weather and whose appetite is whetted by hard work and long watches, and the keen sea breezes, enjoys and generally finds all the good things of the table, whether they were once tame or wild."

"I'm not a shape man, Misther Hartshorn, any more than you're a sailor. I'm a farmer and have been a farmer iver since I was a plow-boy, in County Kerry; there isn't a bether singlehand plower in the counthry and there isn't a drop of lazy blood in my veins. It's you, Misther Hartshorn, wud make a foine shape herder. You cud sit on a stump all day widout complainin, wid a bottle of Pat's whisky, singin, 'her broight smoile shtays wid me still.' You talk about being a sailor; you're nothing but a canawl-boat sailor, you have to go ashore to change your shirt."

"Well, boys, it's time to be off," said the Doctor; "the roads are bad and we travelers have a long ways to go. Keep your eye, Pat, on the sailor and the land-lubber, and don't let them get afoul of each other."

"You need not be afraid of that, Doctor," said Capt. Hartshorn, "John and I are only exchanging the compliments of the season in Cow County style."

"So you were born in the old country," Herman said to Mulcahy, as they were starting off; "and do you think you will ever return to it?"

"If I had shtayed in New York and become an alderman, I wud be for goin back to visit the auld counthry; but if I iver went from here, it wud have to be wid an Irish tandem, one fut afther the other."

The Doctor and Herman left Mr. Bucknill and the Sheriff behind, and continued their way to the Doctor's recently acquired rancho; which they did not reach till after sundown. They found Finland and his affidavit man already there, as they had promised.

The quarters differed materially from the ones they had occupied the night before. Old Domingo had put up a shanty of a couple of rooms after he had obtained his deed from the Castaños; but it was rarely occupied, by himself or others, the little ranch being generally under lease to the owners or tenants of El Roblar Viejo. A bedstead had never made its way into the house, and those that found shelter in it had to be contented to repose between their blankets upon beds of wild oats or barley straw. The Doctor had taken the precaution to send ahead from St. Agnes a native who understood ranch cooking, taking with him what of plain, substantial edibles would be required

for a brief visit. He had prepared a supper of frijoles, quail and bread baked in a Dutch oven, that was anything but unpalatable. There was little conversation that evening, and all betook themselves early to their comfortable, if not velvety couches. Herman, however, feeling the spell of the spirit of loneliness and longing for something from out The Unknown,—which came to him so often after a day's fun and frolic, his melancholy familiar, ever preaching from the wise man's text that all is vanity,— lingered a while after the others had gone, and walked out into the open, and watched the moon swing out like a brilliant lantern from behind the rocky ridge and illumine the sleeping cañon and its cathedral forest trees roofed with the star-studded heavens. The sadness-scented thoughts and fancies that came to keep him company when, in this mood, he turned his back upon the world and its realities, had to him charm more potent and more fascinating than the work and play of real life, and were on a plane with the benefactions that come, the gifts of a higher power, unexpected and unstriven for, so much sweeter than the fruits of plans and labors.

Much was to be done the following day, so all were up at dawn. While at breakfast, which consisted of a cup of coffee, a piece of bread, and a few figs from a tree that, by some miracle, one would think, stood among the oaks, Antonio Castaños rode up, and joined them. El Roblar Viejo ranch-house was not far away. The Doctor desired Finland to run the exterior boundaries of the Domingo Ortega rancho, and also to survey some mining claims, petroleum and cinnibar, back of the rancho. They were to hunt up the monuments that day and locate the mining claims, after which Finland was to complete the survey, remaining after the Doctor had gone. The buggy horses were to rest for a day, and the Doctor and Herman were to start on their way to the Cordero Pass the following noon. Saddle-horses had been provided for the two. Antonio Castaños, who was familiar with the monuments, was glad to point them out; and he also volunteered,— having been led on to it tactfully by Herman,— after doing this, to show him over El Roblar Viejo Rancho. They first followed the cañon to the mining deposits to be located and

staked out. As they ascended, the cañon walls grew more rocky and abrupt, and great bowlders were scattered about, and trees and vegetation disappeared. Finally, they came to where were the petroleum outcroppings. The earth was seamed and bedded with what seemed to be asphaltum, and here and there liquid tar oozed from crevices. After pointing out the territory to be taken up, they followed a branch cañon up, and came upon what had the appearance of being a defined ledge of the red cinibar rock. After Finland had received his instructions in reference to the staking out of quartz claims upon this ledge, they went up a steep trail, to an eminence on the ridge commanding a view of the cañon and valley, from which Antonio pointed out the principal natural monuments, and then, retracing their steps, he succeeded in locating some of the stakes of the U. S. surveyor who had made the patent survey. They got back to the house about noon, where a substantial meal was ready for them, and found El Erizo, who had ridden over on a mustang; it would have required a day to make the trip had he come by his freight train. He was amiable enough then, if his bristles did stand up. After lunch he pulled out of his pocket a packet and produced from the folds of a red handkerchief a copy of the decree of the United States District Court confirming to him a sobrante grant of land called El Roblar Viejo Extension, lying between El Roblar Viejo Rancho and two other ranchos that had been finally surveyed by the U. S. Government. There were a number of these grants made by the Mexican Government of Alta California. After the secularization of the California missions, their property was divided up principally among the soldiers for the declared purpose of colonization and were held by them in a sort of restricted ownership; which, however, was recognized as a tenancy in fee by the United States. The grants were made in reference to natural boundaries, and, in instances, in certain localities the ranchos as described did not fit into each other, and an irregular shaped tract would be left between them. This tract would then be granted under the name of Sobrante, or overplus, being described as lying between certain ranchos already granted. El Erizo's memory went back to the time when juridical possession

of El Roblar Viejo and the adjoining ranchos was given, and knew the monuments; and he and his father before him had for years run their cattle over the Sobrante tract, as bounded by the lines indicated by these monuments.

"Señor Thomas," he said, "here is my titulo; you read it, and tell me what it says."

Herman said that it confirmed to Juan Pedro Olivera a sobrante of two leagues of land lying between El Roblar Viejo Rancho and two others.

"*Si*, Señor, that is it, and all the old *paisanos* know where the lines of those ranchos are; they all know where the Piedra Pintada is,— the upper end of El Roblar Viejo," and here his eyes glowed like coals of fire; "this devil Brookies comes and makes the surveyor put it somewhere else, so as to cut off from me an eighth of a league of the best part of my land on which there are some fine springs. Mr. Finland understands it all, and he will explain to you."

"From the evidence of one of the old men who gave juridical possession of El Roblar Viejo and of the most reliable natives," said Finland, "this monument is where Juan Pedro here claims it to be, and although the rock pointed out by Brooks and Pedro Castaños to the U. S. Deputy Surveyor, from its appearance and color, might have the same name, the painted rock, still it does not conform as well with the other monuments and what would be the natural location of the rancho. The springs Juan Pedro speaks of are not marked on the diseño, or plat, accompanying the grant, and would not be taken to belong to El Roblar Viejo, lying as they do outside a range of hills which form a continuous natural boundary line, such as the Mexican officials would have been apt to adopt."

"And you, what do you say, Antonio," asked El Erizo, turning to Castaños; "where is the Piedra Pintada?"

"The only Piedra Pintada that I knew, ever since I have known El Roblar Viejo, is the one you claim is right, Juan Pedro; and if I had been present when the surveyor was running the line I would have told him so. My brother, Pedro, is a very bright man, and I always thought that he was the only one of us old Californians who was smart enough to deal with the American newcomers, and I would

not have minded it much, if he had been taking a little more land from a gringo sharper than the lines called for; but he had no right to treat a brother *paisano* in that way, and he would never have thought of doing so if Brooks had not put him up to it. My brother José, up to his death, did not know that the piece with the springs had been surveyed into the rancho. I never found it out until Brooks had stakes driven along the new line."

"You see, Señor Thomas," said El Erizo, "there is only one Piedra Pintada that people ever heard of, and that is not the one Brookies pointed out to the surveyor. Now, Brookies knows this, and he robbed me of an eighth of a league of land and my springs, and has fenced them into El Roblar Viejo, *maldito ladron,*" and he seized with his two hands an imaginary throat, and shook it with all his might, his hair and beard quivering like tules in a north wind.

"Huh," exclaimed the Doctor, "I don't see that it makes much difference to you; the gophers and jack-rabbits or some other wild animals seem to root up the posts and butt down the fences, and your stock somehow find their way to the springs."

El Erizo let go the counter-presentiment of Brooks' throat, and looked at the Doctor with what approached a grin, and said:

"Well, he has not had much benefit of the land, and my cattle get to the springs whenever they want. But he says he's going after me in the courts, and I wanted Mr. Thomas to look into the case and see if I can't beat the thief."

Herman promised to do this, and while Antonio and the others were looking for surveyors' monuments, El Erizo conducted him to the disputed line and showed him the two painted rocks and the springs and the range of hills. Herman begged him to keep his temper and be guilty of no act of violence, and assured him that, if he would only wait patiently till the proper time came to strike, which would not be many months distant, he would recover the land for him. El Erizo said that he would do the best he could to keep cool.

"But if the *diablo* Brookies crosses my path, it will take

an angel to keep my hands off him," said he. He said he would see him again before he started the next day.

The following morning Antonio and Herman rode over the remainder of El Roblar Viejo, and Herman took advantage of the opportunity to question his companion about the facts connected with his transferring his interest in the property to the Company, the present owner. Antonio, who had at last realized that Brooks intended to "freeze him out," and had taken the preliminary steps to absorb his stock, and feeling that his tenure as major-domo of the rancho was liable any day to be cut short, was very bitter and talked very freely. He said that both Brooks and Espiñosa had represented to him that the stock which they offered for his interest would be of enormous value; that they had a colony coming out from the East that would buy up the land in small tracts and that he would realize from his stock five times as much as his undivided interest in the land could possibly be worth. He was no business man and his brother Pedro urged him to accept the proposition, he having sold them his interest on the same terms, and he was a very shrewd man; besides, they represented that his brother José had finally concluded to do the same thing; so he did as they wished and parted with his interest for stock. He could see now that he and his brother had been entrapped by Brooks and Espinosa and that he had virtually given his property for nothing.

"And had you no attorney to represent you?" asked Herman.

"No, I told them at first that I would consult Judge Freeman before acting, but they begged me not to do this; that it would not do to let him or any other lawyer see into our affairs; that he might meddle in the colonization scheme for his own ends, and block or defeat it. And they said I did not need a lawyer and that I should have confidence in Brooks who had fought the rancho through with such great success. So I did not see him."

As Herman was bidding him good-by at El Roblar Viejo ranch house, a tall raw-boned man, with a hard face, long, black moustache and eyes like a Greek's, rode up. He had a rifle strapped on the saddle with his blanket, and a huge revolver in his belt. He asked Antonio in cow-boy Spanish,

if his name was Antonio Castaños. On his replying in the affirmative, the newcomer took a letter from his pocket and gave it to Antonio, saying:

"Mr. Brooks is in St. Agnes and wished me to hand you this."

Antonio opened it and handed it to Herman. It was written in Spanish and was a brief command to show the bearer the lines of the rancho, especially the part disputed by Olivera; and then come into town at once, leaving him in charge.

"Very well," said Antonio; "over there is the corral and barn where you will find feed and water. When you have put up your horse, we will have something to eat and this afternoon I will show you the lines."

"Mr. Thomas," said Antonio, after the stranger had gone to the corral, "there is going to be trouble. Brooks has sent this man to get away with El Erizo, if he has to put a bullet through him. Brooks and Espinosa are both afraid of him and Brooks thinks his life would not be safe in this neighborhood. El Erizo must be warned."

"That is easy," said Herman; "he will be at the Domingo Ortega ranch waiting for me; I will put him on his guard and try to keep him from falling into a trap or getting into the clutches of the law."

With that Herman rode off, taking another look at the Texan, for he had made up his mind that such he was, as he passed the corral, his glance being met with a side dart from his treacherous eyes.

Herman told El Erizo about the new arrival at El Roblar Viejo, and the order to show him the disputed land. He counseled him to use the utmost caution; pointing out that it would be the aim of the man to provoke him to violence and then murder him or have him arrested for assault with intent to kill. To his surprise El Erizo showed not a particle of anger; but, on the contrary, seemed pleased at the news.

"Señor Thomas," he said, "do not be afraid; my three sons and I know every rock and tree and hiding place on the rancho. He might have as many eyes as a tuna has points and he would not see us. This man will not stay there long, and I will not get into any trouble. It is the

padrone, not the hireling, that I will settle with." And he mounted his mustang, and with, "*hasta lluego, Señor Abogado, buen suerte,*" rode off to his rancho. Herman felt sure that on election day, if he survived the advent of Brooks' "gun-man," he would try to make real his wish of good luck to the lawyer. Later on, as the Doctor and Herman drove by El Roblar Viejo extension, they saw El Erizo and the vaquero of El Roblar Viejo Rancho, employed by Brooks to assist Antonio, talking together, and the vaquero was grinning and chuckling between puffs of his cigaritto.

## CHAPTER XXXII

### A WILD NIGHT WITH GEN. PETERS

It was in the gray of the evening when the Doctor and Herman drew up in front of the house of Gen. Peters, which was situated at the entrance of the pass on the steep bluff-bank of the creek which flowed through it to the sea. The General stood on the porch, and with a flourish of his leg-headed cane, bade them welcome in a voice somewhat thick and husky. His face was red and puffed and there was a wildness in his protruding eyes. In answer to an oath-accented summons from the padrone an Indian appeared and took charge of the horses.

"Let me offer you, gentlemen, a glass of fine old native brandy before supper; it will wash the dust of the road from your throats and give you an appetite." Saying which the General took three smoky-looking whiskey glasses and held them in one fat shaky hand under the spigot of a barrel in the corner which he turned with the other, and filled them with raw aguardiente, keeping one himself and giving the others to his guests. With some difficulty and the aid of a pitcher of water, they bolted the fiery stuff.

"Six bits," said the General, holding out his hand.

Herman looked at the host a little dazed and then took out his wallet and handed him a dollar.

"Thank you, sah," he said; and put the dollar in his pocket, not offering any change. "There is the lavatory, gentlemen, if you desire to perform your ablutions," pointing to a tin basin on a bench at the end of the porch and a towel black from numerous scrubbings of dusty hands and grimy faces, to the use of which they preferred an imperfect drying with their handkerchiefs. Supper was ready to be served and they were about to go into the house when a stranger rode up on a large horse that looked as if he had come out of a dray. The rider, himself, was odd looking in appearance and attire. He had bushy sandy-hued hair

and beard, and wore a pair of green goggles secured by a leather shoe-string around his head. He had on what appeared to be a Dunkard's cape and coat with the tails cut off and a broad-brimmed slouch hat. A rifle was slung over his shoulder and as he dismounted, he disclosed a belt with a revolver hanging from it.

"How are you, friends," he said; "could I get board and lodging here to-night for myself and horse?"

"Certainly, sah," said the General; "turn your horse over to the groom, sah — here, you d—d worthless *Indio perro*, take this gentleman's horse. Come in, the supper is ready. But permit me, sah, to quarantine that arsenal you carry; it might become objectionable if you are a sleep-walker."

"Is that so-o-o?" said the stranger, handing him over the firearms in sight, and at the same time, when his back was turned, quickly feeling his hip-pockets to be sure that his derringers were there. "I heard that there were a whole lot of stage robbers and bad-eggs travelin around this part of the country and that I'd better take some guns along with me."

"It is a slander, sah; a man's safer in this neighborhood than on Kearney street, San Francisco. Your name, sah?"

"My name? Well, before I left Bedford County, Pennsylvania, it was Jacob Pennypacker, but since I've been travelin the pikes of California, it's been changed to Old Bitswiper."

"Well, I trust, sah, that you have been successful in swiping enough to pay the board and lodging for yourself and beast?"

"Well, I eat all my rambows and drunk all my Bedford water on the steamer coming out, but my money ain't all gone anyhow yet, if it was swapped for gold and silver at fifty cents on the dollar," and the Bedford County man put his hand in his trousers pocket which reached nearly half way down his leg, and pulled up a handful of silver.

"Gentlemen, as you have heard, this is Mr. Pennypacker. Mr. Pennypacker this is Dr. Vanderpool, an eminent physician and surgeon from St. Agnes; and this is Mr. Thomas, a distinguished lawyer from the same place, candidate for

district attorney, on the Low White ticket, but a decent man. And I am Gen. Peters, born in Virginia, and raised there."

"Is that so-o-o?" said Mr. Pennypacker. "Well, I'm glad to git acquainted with you. A bonesetter and a states attorney are good people to know in this country. But Mister General, my stumick ain't very good, you ain't got nothing to drink, ain't you?"

"Yes, sah; a Southern gentleman's house is always well equipped in this respect. I have some fine old grape brandy. If you will invite these, my guests, I have no objection to join you."

Mr. Pennypacker gazed at Gen. Peters through his green goggles for a moment, then said:

"Are all people raised in Virginia as liberal as you? Well, friends, you heard what the General said. Take a drink?"

The Doctor and Herman asked to be excused, but Mr. Pennypacker insisted, and four glasses received each a fair sized drink from the aguardiente barrel. All except the General diluted their potations, and then struggled to get it down. Mr. Pennypacker handed the General fifty cents.

"I beg your pardon, sah, four bits more; two bits a drink."

"Is that so-o-o? If you got your schoolin as a tavern-keeper in Virginia, the Hesse Darmstadders from my country would stand no more show there than the Jews do in Glasgow. Why, there ain't a still-house in Pennsylvania where I can't git a glass of fine old rye for ten cents. Well, General, that extra two bits has given me an appetite. I for one am ready for that supper."

Everyone was hungry but the General, and did full justice to the ham and frijoles, while he made up for want of appetite by a consuming thirst which he endeavored to quench with tumblers of native wine somewhat less powerful than the aguardiente. After supper he topped off with another full glass from the barrel, his guests declining his invitation to join him in what had proved to be to them a costly response to his hospitality. Having lit their pipes, the three guests strolled over to see that the horses had been supplied with a good feed and watered. They found that the Indian

had given them a fair supper of good barley hay, for which from their experience with the drinks, they expected to pay double price. The north-west wind, which had been coming since dark in fitful gusts, now began to roar and shriek down the cañon into the pass, swishing the branches of the trees and rattling and banging every loose gate and bar and pole about them and blinding them with its sweepings. Between its wild blasts could be heard the curses of General Peters in whose face it had, with no gentle blow, slammed the front door.

"This is a wild night," said Herman, "we had better go in."

"Yes," said the Doctor, "and at the rate the General has been tapping the aguardiente barrel we will have a wild man as landlord before the night is over."

"I guess that's so," said Mr. Pennypacker; "but up in Bedford County we're kinder used to the chivalry with snakes in their boots, the same as we are to copperheads, and I guess I can draw his fangs so as he won't do no no biting."

They returned to the house and found the General striding up and down the hall, with his plug hat on the back of his head, his cane clenched in his hand, striking at some imaginary foe, muttering and cursing, his eyes staring into vacancy.

"Helloa, boy," said the Doctor in his placid voice; "taking a little after-dinner exercise? Don't do it too strong; it's bad for the digestion."

The General started back and clapped his hand to his hip-pocket; then returning to his senses, said:

"The d—d wind always makes me nervous, and it raises h—l up here. I'm going to leave this infernal hole. It's killing me. Come into the library."

He showed them into a room, that had hardly enough books in it to entitle it to this distinction. There were some volumes of California statutes, a number of detective stories, and piled against the walls were what seemed to be hundreds of periodicals of a single publication,— all numbers of the *Police Gazette*. There were a few chairs, a writing-desk in one corner, with a cabinet above, and beside it a huge spitoon ornamented with yellow stumps of cigarittos

next to a lounge. Each dusty article of furniture was occupied by a *Police Gazette*.

"Sit down, gentlemen. This is where I do my reading and writing," said the General, removing the papers from the chairs.

"From the character of your literature, General," remarked the Doctor, "you might be able to give our friend, Thomas, here, some valuable practical instruction in the science of criminal prosecution."

"You are right, sah, even if you expressed that suggestion in jest," replied the General, who started to seat himself, descending gradually, steadying himself with his cane until he passed the point of equilibrium and then falling back into his chair, striking at the same time the leaf of the writing-desk with a blow that rattled its contents and shook the furniture, while accompanying his landing, like the orchestra's crash at the fall of the clown, came a shriek from the wind that partially drowned the General's fearful oaths.

"Your climate, General," said Mr. Pennypacker, "kinder agrees with your readin matter. Now, if you only had here sometimes a real criminal, such as a murderer or a horse-thief or a stage-robber, you would have a whole lot of fun all to yourself without the trouble of goin to a theayter."

"If you think this room has had nothing but criminal biographies in it, you are greatly mistaken, sah. Not a few of the famous hunted men with rewards on their heads have spent the evening in this room, secure from betrayal, discussing with me the lives of suspects and noted characters, convicted and hounded by the law's minions, and the science of escape. Jack Powers and Joaquin Murieta have taken many a glass of my aguardiente and profited by my study of law-breaking and knowledge of the resources of fugitives. Ned McGowan, the distinguished escape from the clutches of that gang of assassins, the vigilantes of San Francisco, was my guest for a week, and we afforded each other a great deal of intellectual enjoyment."

"Is that so-o-o? You're pretty lucky, in living where you can meet sich fellows. I've been a drover for twenty-five years and have come across some pretty tough customers on the road but I aint ever had a chance to travel with any

of your real high-toned gallows-birds. I guess there aint many real thoroughbreds comin around now are there?"

"You are wrong, sah. Only three or four days ago, sah, a man spent the night at my place, a very quiet and respectable looking gentleman, sah, who said he was a drover, like yourself, sah, buying cattle; but, excuse me, sah, he did not offer me four bits for four two-bit drinks, but handed me a five-dollar gold piece and told me to keep the change. Now, sah, I hadn't talked with that man fifteen minutes till I knew that he was no drover, and before the evening was over, without my asking or his telling me a word about himself, as I always observe great delicacy in those personal matters, I had him sized up. If it's ever found out, and I don't think it will be, you will know that the money that that drover's buying cattle with came from a Wells-Fargo box a lone highwayman persuaded out of the driver of a stage up north."

"Why didn't you send for the Sheriff?" said the Doctor, "you'd have got a big reward."

"No, sah, I'm a gentleman, sah, and the secrets of one who has partaken of my hospitality are sacred, though I might be starving. Besides, what would my own life be worth in this out of the way spot were I to inform on those that were forced to stop at my house."

"Is that so-o-o?" said Mr. Pennypacker. "But you're right, my friend, in not giving the stage-robber away. Anybody that gets ahead of Wells-Fargo ought to be rewarded instead of the fellow that ketches him. It's the biggest robber in the country. They charged me for bringin a saddle from San Francisco to St. Agnes pretty near half what the saddle cost. I'd like to meet him, if he's buying cattle, even if Wells-Fargo did set him up in business."

"If you're going up country, and I suppose you are, it would not surprise me, sah, if you ran across him somewhere around Pat O'Neil's," said the General.

"Huh, I think Bill Hickson at the stage station," remarked the Doctor, "might tell you all about him; I wouldn't be surprised he's the man Bill desired to perforate."

Here the wind, with a terrific blast, burst open the front door, blew out the candle on the aguardiente barrel, and

swept, a hurricane, through the house, forcing in the door of the room where this conversation was going on, sent the flame like a volcano eruption up the smoked chimney of the oil lamp on the writing-desk, and made snow drifts on the floor of the *Police Gazettes*. With a curse and a yell, the General started up, but was jerked back into his seat by his revolver catching in the arm of the chair. He hauled it out of his pocket, slammed it down on the desk and made his way to the front door, followed by the Doctor, who thought two were better than one to cope with the storm. Scarcely had the General disappeared from the room when, quick as a flash, the drover seized his revolver, emptied the chambers of their cartridges, and supplied their places with others from somewhere under his cape, remarking to Herman:

"I always carry some blank cartridges; they're handy to have on the road when you want to skeer a man, and as the General's pistol is the same calibre as mine, I think they're kinder better for the state of his health to-night. We might now go out and soothe him down a little by setting up the drinks."

When they reached what was usually termed the bar-room, the General, aided by the Doctor, had put up a wooden bar across the door, a precaution he, in his contemplation of criminology, had forgotten to take and was feeling for the candle. The drover struck a match, and a sickly light once more made things visible. The General was about starting out on a chromatic scale of blasphemy when Mr. Pennypacker told him to waste no time, and fill up the glasses for the crowd. This, about the only thing that could have closed the throttle without letting off the pressure of profanity, diverted the General's attention for the moment, and he obeyed the command, with always method in his madness, and filled his own glass to the brim, with half the quantity in those of his guests, who quietly tossed it into the corner. The dollar of the drover seemed to calm him down somewhat, and braced by the first effects of the recent potation, he reached his seat in the library, pocketed his revolver, without knowledge of the extraction of its fangs and resumed his discussion of crime and criminals.

"Gentlemen," he said, "this publication, even if there is much of sensational in it, is most instructive, as well as interesting. In it you have a record of all the crimes that are made public, those concerned in them, the ones punished, those that escaped, and what is the most absorbing of all, the theories and all speculation about the ones who are never discovered. I am familiar with the details of every murder that has been committed within the past twenty years. But although the facts this publication contains are most valuable, its theories and conclusions are most of the time absurd. There is one thing that invariably leads to detection of a criminal, and one thing that generally shields him from discovery. The first is the thought, that so many have, that he is being suspected and watched, which leads him to resort to all sorts of unnatural acts to divert suspicion. He becomes his own pursuer. The second is the dismissal of the crime by the perpetrator from his consideration, and going on about his business as though somebody else had committed it, or as if it were an impossibility to connect him with it. If a man has pluck enough to pursue his course, in the absence of eye witnesses, where there is only circumstantial evidence, it is the rarest thing that he is discovered. There are men who have acted in this way that have been accused and arrested and put through a sweating process that would have at once broken down the weak ones belonging to the first class, but which failed to worm out of them a single compromising thing, and they were discharged. There isn't any reason why anybody should be caught where there was no third party to tell tales. You gentlemen may remember the murder of Dr. Burdell not so very many years ago."

"I recollect the murder and have often passed the house in Bond Street where it was committed," said Herman, "but the details have passed from my mind."

"Well, sah," continued the General, "it is as fresh in my mind, with all the circumstances connected with it, as if it had occurred yesterday. There was a murder once committed in this cañon. Maybe you heard of it?" and he looked sharply from one to the other.

"Is that s-o-o?" said Mr. Pennypacker," it must have been

long before my time; for I never heard of anything with more sense than a heifer being killed here."

"The Doctor of course knows about it, though he wasn't here at the time," resumed the General. "Well, gentlemen, that murder occurred on the same night as the Burdell murder, and here the night was just like to-night. D—n that wind! And, strange to say, a great storm was raging in the City of New York. I was sitting in this room, reading a newspaper,— not the *Police Gazette*, for I hadn't begun taking it then,— when right between two yells of the wind a wild cry made me jump to my feet." Here the General started up and walked unsteadily back and forth, as he went on: "I thought at first it was a woman's voice, and then I concluded it was a coyote, and paid no more attention to it. The next morning the remains of a man and his wife living down at the mouth of the cañon were found in the ruins of their burned cabin. My God, do you hear that? — it was like that." A cry from the wind, not unlike the voice of a human being in agony, had pierced the air, and it was a moment or two before the narrator recovered from his shivering and was ready to proceed. "The account of the Burdell murder came to me,— was brought to me by Jack Powers,— on the arrival of the first steamer, and I then followed up all the details to the end. It appeared that in the midst of the storm, just about the hour I heard this cry, a shriek of murder was heard in Bond Street in New York, coming from the neighborhood of the house of Dr. Burdell. The party that heard it could not tell from where it came, and it was only the next morning that it was discovered that Dr. Burdell had been murdered. The murdered man had been in the habit of letting rooms in his house, which was a large one, and never inquired about or cared to know the character for respectability of his lodgers. At that time a good-looking widow, named Mrs. Cunningham, who was left-handed, occupied rooms in the house. She had evidently set her cap for the proprietor, and he became her intimate. She began to display insane jealousy concerning the Doctor, and had occasion, as his favors were never confined to one woman, and she had grown to consider herself the mistress of the

household, and she frequently upbraided him violently for his attention to others.

"On the eve of the murder she learned that he had arranged to let the house to another. When she heard this, she remarked to the informant, 'he may not live to sign the papers.' He was stabbed to death with a sharp dagger, and the blows were inflicted by a left-handed person. There was a trail and smears of blood all over the house and down to the apartments of Mrs. Cunningham. The whole world knew within their own minds that she was the murderess. What did she do? Did she show any nervousness or fear of detection or try to escape suspicion? No; she coolly and undisturbed faced the suspicion and not only did not attempt to hide what might be incriminating circumstances, but herself furnished evidences of a motive for the commission of the crime by producing a certificate of her marriage to the victim and claimed her share of his property as his wife. She was arrested and imprisoned, and all the ingenuity of the police was unable to break her assurance down. She was tried and acquitted, though everyone felt sure of her guilt. She was not content with the widow's share of the property, but procured an infant which she palmed off as Burdell's posthumous child, in order to secure it all. In the last scheme she let a physician into her confidence who reported it to the police, and she was again arrested. This did not in the least disconcert her, and she was soon at liberty, and later I was fortunate enough to meet and converse with her here in California." The General's voice was here drowned in a wild charivari from out the cañon, to which he responded by stamping his feet, cursing, shaking his fist and shouting defiance.

"Did you ever discuss these matters with your friend, Brooks?" asked the Doctor, after he and the wind became calmer.

"Yes, sah," said the General, glaring at the interrogator; "I have, sah, in this room."

"What was his opinion?"

"By Gad, sah, he had the impudence to yawn in my face and ask me to tell him something new. And what do you think I told him, sah? I told him to excuse me;

that, if I had only stopped to think, I would have remembered that the observance of this rule had made him so successful in covering his tracks. Mr. Brooks, sah, had better look out, the d — d ingrate; for there is another necessity to observe in avoiding detection: a man must be loyal to his helpers; he can't afford to bluff them. Although I'm no abettor of him in his criminal acts, curse him, I'll get even with him. Yes, you cold-blooded, black-hearted traitor, I have pulled some of your chestnuts out of the fire and helped you feather your nest, and by Gad, you'll not pitch me to one side like an old glove, d—n you."

"Who is Mr. Brooks?" asked the drover.

"He's a successful lawyer from San Francisco," said the Doctor.

"A successful lawyer! Any infernal scoundrel, any d—d robber like him could be successful. But I'll show him, the dirty cur, he can't be successful at my expense." And the irate denouncer betook himself to the aguardiente barrel, returning looking redder and wilder and his eyes sticking out farther than ever.

"Did you know," said Herman, "that Brooks has ordered Antonio Castaños into St. Agnes and sent a cow-boy to take his place?"

"No, sah, I didn't know that he had sent for Antonio, but I saw the tough looking cow-boy. He stopped here and asked me about the rancho and if I knew El Erizo and what kind of a man he was. I can see Brooks has sent him to get away with El Erizo; but as smart as he is, he is not smart enough for that old Greaser. Brooks is the coyote he has taken oath to scalp, and no cow-boy will get away with him or put him into trouble before he does it."

"Do you suppose," said Herman, "he means to dispense with Antonio's services?"

"Yes, sah; you'll find that he has concluded the time has come to freeze him out; he'll sell the miserable lot of shares of stock he gave him for his interest in the rancho and clean him out. He thinks he's out of the woods and has no more use for him or for Pedro or for me. Why, curse his reptile heart, he not only refused to pay me anything further on what he owes me for my valuable services

to him, but he has insulted me, sah, wounded me, sah, keenly sah; he said that I could look around for some other philanthropist to put up the coin for me to drink myself to death; that he was done with running an alms-house for soaks and Indians. But the man is mad, sah, recklessly mad, sah, he thinks he's invincible; but wait to the end, and see where he lands."

"So he owes you something, does he?" said the drover.

"Owes me? Why, sah, he owes me everything he has in the county. It was I that got him hired to confirm the grant of El Roblar Viejo; it was I that secured him Pedro's and Antonio's interests, and made his sham company the owner of the whole property."

"How about José's interest?" asked Herman. "Did you get him that also?"

"No, sah; Old José, if he had not died would have been too much for him; the Company would never have got his interest, and what's more, they never did get it, or I'm an innocent child."

"But there's a deed recorded," said Herman, "from him to the company, and I've been told that stock was given him," continued Herman.

"Yes, there is the record of a deed; but in this country, especially when that one made its appearance, deeds were made as easy as adobes, and who can swear he saw him sign it? I am a witness to it, and so is Pedro, but neither one of us saw him sign it. It was presented to us by Manuel Espinosa who asked us if we recognized the signature as that of José. We both knew his signature and rubric, and it certainly seemed to be his on the deed; so, at his request, we signed as witnesses and acknowledged it as witnesses. Espinosa then handed me a certificate of five hundred shares of the company's stock made out in José's name and told me to hand it to him."

"Did you do so?" inquired Herman.

"Do so, sah? The man was dying then and passed in his checks the next day, and here's the certificate."

With considerable difficulty and danger to the desk, the drover holding on to the lamp, the General opened the cabinet and, after fumbling among papers in a pigeon-hole, pulled out the stock certificate.

"There it is, gentlemen, and it has been in my possession ever since it was delivered to me. Of course I know it was intended by Brooks that I keep it and hold my mouth about it, and, if it became necessary, to swear that he delivered it to me as agent of José."

"You don't say so!" exclaimed the drover, "and the fellow has the cheek to turn you down and abuse you at the same time. Why, do you know what I would do with that skin-flint?"

"I would be pleased, sah, to learn what course you would pursue," replied the General.

"I would turn that stock over to this young lawyer who is running for district attorney, or some other lawyer whom you can trust, and state to him all the services you have rendered the fellow, and let him make a demand on him for what they are worth, giving him just so much time to pay, and telling him if he don't put up before then, that you will sue him, and I bet you'll get, if not all, a good part of your claim."

"An excellent idea, sah. Take the stock, Mr. Thomas." Just then came a series of demoniac groans and moans from the wind that gave the General a temporary attack of palsy.

"Stop your infernal howling," he cried, shaking his fist at the window. "Curse this devilish cañon; all the imps of hell travel through it. I must get away, or they'll hound me to death. I'll go to St. Agnes in a couple of days, Mr. Thomas, and I'll tell you then, sah, all that I have done for that bird of prey."

"Well, gentlemen," said the Doctor, "I don't know how you feel, but I'm tired and must turn in."

"That's my fix too," said the drover.

"Well, if that's the case, gentlemen, we'll retire. There's the spare bedroom across the hall, which Dr. Vanderpool and Mr. Thomas can occupy, you'll find a candle in there; while Mr. Pennypacker, who has his blankets with him, can occupy this lounge for his couch. My bedroom adjoins the spare room, if you have need of anything during the night. I wish you a comfortable rest. Can we take a nightcap?"

The visitors declined the invitation, and the Doctor and

Herman betook themselves to the spare bedroom, leaving the drover to repose among the biographies of criminals and a quarter of a century's records of their crimes.

The Doctor struck a light, after the wind had banged the door to, and the two made an inspection of their night's apartment. The bed took up the greater part of the small room. It looked as if it had never been made. Turning down the bur-laded, dusty blanket, a sheet and a pillow-cases were disclosed of the color of a mustard plaster, upon which a squad of fleas were playing leap-frog. There were a rickety chair and a small table covered by a stained newspaper, on which stood the candle and a dirty wash-basin and pitcher, with half of its mouth broken off. There was no lower sash to the window, which let out on the river bank, and the full blast of the wind's pandemonium forced itself with an added screech into the room. Herman held up the blanket and the Doctor beat out the coarse dirt and some of the fleas with a lath he found in a corner; and then they shook it and covered with it the unsightly linen, and Herman gave it a heavy layer from his inseparable companion, the flea-powder bottle. Then the two retired, with their trousers for pillows and their coats for covering. In a few minutes their host ricochetted his way from the bar to his bed-room, slammed the door, and fell, with a crash into bed. There was a volume of oaths, which only seemed to sound fiercer coming through the thin partition that separated his apartment from that of his guests, then a dead silence, followed by a series of snorts and grunts.

The Doctor and Herman had been asleep a couple of hours, when they were awakened by an unearthly paroxysmal shriek above the revelry of the storm, and starting up they saw a black object resembling the head of some huge, grotesque beast, protruding through the window. On close inspection they found it to be a jackass, who seemed to be in the same vein as his master, and if he had been gifted as was the member of his race owned by Balaam, he would have doubtless belched forth a torrent of blasphemy and called for a draught from the aguardiente barrel. The outcry from the beast aroused his fellow in the adjoining room, who, commencing with guttural mut-

terings, which turned to broken fragments of tragic declamation, then burst forth into a tirade of unholy abuse and horrible curses; and rolling from the bed to the floor and struggling to his feet, he stamped back and forth, shaking the house, and crying for help and shouting and yelling:

"Back, you hell-hound!" he shrieked; "take your claws away from my throat, or I'll knife you again, curse you; and you — you green-eyed, pinto-bearded, black-hearted viper — you're the one that's hissing him on; I'll send you to hell to keep him company. I'm not afraid of any of you. You can't bluff me, d—n you! Who said he saw me do it? You lie! you lie! you lie!" and as the wind swept down the cañon with a chorus of wild shrieks, he screamed:

"Keep away, keep away, you demons of hell; you'll never take me. How do you like the sound and smell of that?" and a pistol shot rang out through the wild din.

"For heaven's sake, Doctor, give him something to put him asleep, or we might as well camp out for the night," said Herman. "He can't hurt you, as Pennypacker, when you and he were barring the door, unloaded his revolver and put in blank cartridges."

"Huh, I'll settle him for the night," said the Doctor, and rapping on the partition, he called out:

"Helloa, boy. General, I say, General, are you awake? set up the drinks; I'm thirsty."

"Certainly, sah, certainly; one moment, and I will be with you," said the General, brought at once to his senses by the mention of drinks.

The Doctor struck a light, took a vial from his medicine wallet, met the General as he came out of the door, and was joined by the drover who said he was a little restless and would like something to calm his nerves.

"I see you ain't very steady," said he to the General, "let me tap the barrel; I'm an old hand." And suiting his action to his words, he filled a glass into which the Doctor dropped two or three pellets and the General drained it. They then returned to their quarters, and their host's ravings ceased for the night.

## CHAPTER XXXIII

### PEDRO CASTAÑOS' DOG BITES MR. BROOKS

THE drover emerged from his chamber of silent horrors before there was a stir in the house, and took an inspection of the premises from bar-room to kitchen and corral to beehives; paid a visit to his big horse, rubbed its nose and examined its hoofs. Suddenly his slouch hat was jerked from his head, and turning he found confronting him the caller whose terrifying salutation had broken the slumbers of Herman and the Doctor during the night, who was solemnly shaking it up and down, fanning its owner, at the same time wagging its long ears.

"Good morning, sir, I see you've traveled in a circus," said Mr. Pennypacker. "One of the General's family, acquired, I presume, in payment of two-bit drinks. I would have removed my hat had I noticed your presence. May I beg you to return it?" Saying which he squeezed the donkey's windpipe with one hand and seized his hat with the other, when it released its hold. The Indian hostler here put in his appearance and picking up a piece of chaparral, with a "*fuera bruto,*" dealt the impudent intruder a blow over the ears and received in return a whack in the eyes with the tassel of his tail, as the beast strutted off. The drover then quizzed the Indian in Spanish, which he seemed to speak with wonderful fluency for a Bedford County drover, about his master, the place and the people that visited it, and seemed especially interested in the cattle-buyer, who had spent the night there not long since. He was soon joined by the occupants of the spare bed-room, whom he asked if they had spent a quiet night, and slept well.

"Huh," said the Doctor, "you must have let loose a battalion of the worthies you slept with, the fiendish riot that was raised inside and out."

"I wonder how our worthy host is this morning," remarked Herman.

"Torpid enough, I venture to say," said the Doctor. As he spoke, the General appeared on the porch, his face bloated, his eyes red and heavy and his legs shaking. In a husky voice he announced that coffee was served.

"I hope, gentlemen, that you had a refreshing night's rest," he said.

"Remarkably restful," said the Doctor. "Did you sleep well?"

"Never opened my eyes, sah, from the moment my head touched the pillow."

Breakfast over, while the Doctor and Pennypacker were busy about the horses, the General beckoned Herman into the library, and having shut the door, said in a mysterious voice, "What do you think, sah, of that man Pennypacker? What is he? Who is he?"

"Well, I haven't thought very much about it," replied Herman: "he talks like a Pennsylvanian, and looks and acts like drovers I have seen."

"That man, sah, is no more drover than you or I. You, sah, if you expect to be a successful lawyer, should do as I do, study the lives and actions of criminals, and in the light of what you learn from this study, size up everyone you meet, and you will soon be able to read a man's character and tell what he is, without looking at his pedigree. All men are criminals, and it is only a matter of degree with them which one is greater or lesser than the other. Now, it took me but very little time to know that man, and what he is after. That man, sah, is a pal of the cattle-buyer stage-robber who was here a few evenings ago. You heard him inquire about his whereabouts. Now, sah, record in your memory what I say: These two men will meet by appointment and before very long — just as soon as they are tipped by a confederate that Wells-Fargo has shipped a big consignment of coin — there will be a hold-up in this county."

Herman duly expressed his astonishment and admiration of the perspicacity of the General, and then handed him a twenty-dollar gold piece and asked him to take it into his till and change it and take out what he and the

Doctor owed for board and lodging for themselves and their horses.

"This will be sufficient, sah, to pay your bill and the expense of a barbecue I shall give in your interest before election," and the General pocketed the double-eagle.

Herman, subdued into speechlessness by the overwhelming assurance on the part of this past-master of criminology, walked out in the direction of the stables. He encountered the drover returning to the house, leading his horse, who stopped him, and glancing about to see if he was unobserved, for an instant lifted up his goggles and displayed to him his unveiled eyes, in which there was an unmistakable twinkle.

"Howells, I swear! What the mischief are you masquerading here for?" exclaimed Herman.

"Oh," replied the sham drover, replacing his glasses, "I have a little business with the cattle-buyer who was here a few evenings ago."

"The General takes you to be his pal," said Herman.

"I dropped on to that as soon as he spoke of him," said Howells.

"I'll see you in St. Agnes, as soon as I land my man, which will be in a few days. So good-by; I'm sorry to lose such good company," and calling the General, he settled his score in silver, not affording him the opportunity to retain any change and telling him to give his love to any Wells-Fargo road agent that came along, mounted his horse and was off.

When the Doctor and Herman were prepared to depart, the Doctor handed the General a little packet, saying:

"Take that blue mass to-night, my boy, and follow it up with the castor-oil tomorrow morning and put a three days' time lock on that aguardiente barrel, or your trained jackass and the howling wind devils will be holding a wake over a saffron colored corpse in a shroud of *Police Gazettes*, inside a week."

As they drove away the General stood on the porch, his whole body trembling, his plug hat squeezing his swollen head into the shape of a pear, clasping tightly in one hand the Doctor's dose, and with the other steadying himself with his leg-handled cane; his eyes were bleared, his

face bloated and yellow and on it was a ghastly expression of fright.

The wind, the invariable follower of a rain storm in the semi-tropics, (it being early in the year,) instead of a three days' campaign — always incident to the middle and end of the season's rains,— was content with a night's revel, and had died down to a gentle breeze that stole up the cañon from the sea, cleanly and cool and refreshing, a breath of nature's pure life that fanned away the sickening fumes of the unhallowed household they had just left. It was the same mountain pass whose grandeur and beauty had impressed Herman when, at the same time of the year, the Hon. William McElhenny piloted him through it, after two days and nights on the dusty road. If it had not the romance of a primal vision, its loveliness had added charm after the rain had washed the summer's brown coating from trees and plants and rocky walls, and a freshened beauty graced the newly baptized landscape. The golden leaves of the sycamore still clinging to their branches and those that gave an Oriental coloring to the brown carpeting beneath and the crimson vines, brightly burnished, contrasted joyously with the polished, glistening foliage of oak and evergreen. And the stream which the heat of summer had shrunk and muffled, had expanded its bosom and regained the merry music of its voice; and a perfume of spring blended with the odors of Autumn ashes. The air carried the summer's caresses and was quickened with the coming winter's breath, and seemed to bear to Herman from mystic lands beyond the blended ocean and sky, an inspiration gentle with love's softening sentiment and stern with the spirit of heroic duty, and an aspiration to win men's hearts by love while nobly fighting the battle of life on the side of justice and principle. Jogging along in the Doctor's comfortable buggy, the rumbling of the wheels and the quiet driver's chirrup and tattoo on the horses' backs — a rhythmical accompaniment to his thoughts — he had more time and was in better mood than when first revealed to him, to see and be impressed with the varied features of the picturesque beauty of this rugged roadway nature had cut through the mountain range. It seemed a temple of peace,

and he could hardly realize that the night before it had been the passage-way of an army of yelling demons. The subdued and soft-toned voices of nature, floating upon the ocean's zephyrs, had succeeded to the storm's wild outcry, and sang to the fancy in gentle strains. His thoughts went back to the evening at Col. Morgan's when Martha gave a soul to the song he had written for her; and the thrilling notes of her rich-toned voice, breathing sadness and longing, came to him up from out of the harmony of the woodlands, and blended with his own fancies tinged with melancholy. Indeed, she often stole into his thoughts — not when he was in the midst of gayety and merry-making, but when the serious part of his nature held sway, when the yearning for a human companionship in his wanderings with sacred spirits away from the world's maskers and jesters was strong within his heart; the fellowship with one that could comprehend and have sympathy with his inspirations and aspirations the world had only scorn and ridicule for. The same vein in sentiment seemed to be the theme of character of both; they each had their few moments of exalted joyousness in bright association and their many of melancholy musing in cherished solitude. He was perfectly at ease in her society, conscious of her truthful and ingenuous character; and yet she seemed very far away from him, and there was about her presence something that made familiar approach or display of sentimental feeling towards herself impossible. The idea that he might some day win her love and life's companionship was present not infrequently; but it was like a guerdon among the realized dreams, the finished labors, the success and honors in the remote future. He certainly was not in the present either noble enough, or sufficiently provided with means to offer her a home. Suddenly in the midst of his revery, a voice, filled with feeling, awoke the echoes of the cañon, and the sweet melody and words of "La Ternura" were borne to their ears, now swelling into volume, now dying into far away strains. The notes ringing out clearly in the open, would then be broken by a rocky barrier, then hidden in nooks and crevices, and then spring forth from the low monotone of nature's symphony, and soar skyward in plaintive

appeal. As they turned out from behind a little promontory into full view of the road they saw, some little distance below, a horseman riding leisurely along, looking up at the bright band of blue that canopied the mountain causeway, and throwing his whole soul into song. Catching sight of the buggy and its inmates, he abruptly ended the love-lorn lay, and shouted gayly:

"*Qu'ay amigos mios, buen respeto!* How glad I am to meet you. I needed the sight of friends to cheer me up; the lonely ride was making me sad."

"Welcome, Pancho," said Herman; "I wish we could have remained longer hidden from you, and you gone on singing in your sadness that beautiful love song. The first note, I knew who was the troubadour and for whom was the sweet lay; and how did you leave Carmelita and her mother?"

A flush came to Pancho's face and a passing shade of distress, and Herman was sorry he had said what he did.

"They are the same as always, quiet and contented and working when they can. I hope that you will soon have good news for them."

"Yes, things are shaping themselves so that I feel very hopeful of regaining their property, and this not so very far in the future. Have you brought any news from St. Agnes?"

"Yes, Brooks and Espinosa are in town, and Pedro Castaños called upon Brooks, expecting to get his usual *pilon*. Mr. Sigismund and I happened to be standing in the hotel nearby when they met. Don Pedro had his hair dyed and his boots polished out of the same blacking box; and a clean shirt, and a red necktie — that looked like a piece of the red tape in your office — which has been lying since I was a little boy in the window of Cohen's store. His moustache had the ends glued out so as to look like the prongs of Mr. Latour's charcoal tongs, very fierce. And he marched up to Mr. Brooks with a big mansanito stick under his arm and a long yellow cigar between his fingers,— the kind old Cohen sells six for two bits,— and a black mongrel dog, with a corkscrew tail, at his heels. Mr. Sigismund gave me a little punch in the ribs and said, 'Don Pedro is *muy bravo*. He looks like a cross between

a Cochin China rooster and a black tom-cat.' When he was about a yard away from Mr. Brooks, he took off his sombrero, waved it in the air and made a low bow he had copied from Major Falcon. His stick flew out backward and rammed Mr. Latour in the belly as he came along. '*Sacre cochon,*" said Mr. Latour, and gave him a kick in the flanks that made him fly back like a bent sapling let loose.

"'*Coma va, Pedro?*' said Mr. Brooks, nodding his head politely and taking out his watch and looking at it, 'I suppose you are in good health as usual, and I should judge from your looks, doing well.'"

"I never saw Mr. Brooks more polite and with a sweeter smile on his face. '*Si, Señor Abogado,*' said Pedro. 'I am well enough, and I can say the same for you from your looks. But as for doing well, you have the best of me there.' 'Oh, I am so very sorry if you are not getting along well,' said Mr. Brooks, with another sweet smile. 'What's the matter? Are the Gringo gamblers too smart for you, or have the *paisanos* found you out and won't let themselves be fleeced any longer?' 'No, Señor,' said Pedro, 'the trouble is that I am not paid as I should be by one who is sharper than a Gringo gambler — a Gringo lawyer. The last time you were here, Señor, you paid no attention to my request for a payment, and it is a very long time since I have received anything from you.' Pedro had forgotten all about Major Falcon's manners; he had dropped his cigar and had drawn his sombrero down over his eyes, and spoke just as quietly and cooly as Brooks. His black dog had crept up a little in front of him and looked up into his face as if he knew there was something wrong. They were in a corner of the room and Sigismund and myself were the only ones looking on. Brooks was leaning against the window frame with one hand in his pocket and with the other playing with his gold watch chain. 'I may or I may not be as sharp as a Gringo gambler, but I'm sharp enough not to be bled any more by a *cavallero de industria.* If you get any money from me, you'll have to earn it. If you go out to the ranch and work as a vaquero I'll give you thirty dollars a month.' Pedro rolled a cigaritto, lit it and

sent out a puff of smoke that reached and curled up under Brooks' nose.

"'Señor Brooks,' he said at last, 'it is your pleasure after you have robbed me to insult me. Whatever I am, *gratias a dios,* I do not come from the *raza de pescados* from which you were spawned. I have good blood in my veins. The old Castaños earned their money by the sword and spent it like gentlemen. You call me *cavallero de industria.* What are you that rob people of their homes by your wits? You think that I'm a worthless Greaser and have served your purpose, and that I am like this dog here, you can kick out of your way. But, *mira,* Señor Brooks, do not make a mistake; a cur of a dog has teeth and can bite,' and looking down at his dog, he pointed to Brooks' hand and called out, '*Agarre el mano, Sancho.*' The dog sprang upon Brooks and shut his teeth through his hand. Pedro turned and walked out of the hotel, while Brooks, as pale as a sheet, tried to shake and choke the dog off; but he hung fast until his master had disappeared in the street when he let go and ran after him. Mr. Sigismund did not think of helping to take the dog off, but as soon as he of his own accord let go, he ran up to Brooks, and said, 'That was a very vicious cur, I hope he was not mad. Here, Mr. Latour, some turpentine quick; there may be blood poisoning or lock-jaw.' When Mr. Latour appeared with the turpentine, Mr. Sigismund poured it into the holes made by the dog, and ran his finger wrapped in a napkin he had grabbed from the bar in and out the wounds, and Brooks grit his teeth and wriggled around like a coyote with his paw in a trap."

Pancho had told this story graphically and vividly and with keen enjoyment to himself and his hearers, illustrating it and mimicking the actors with his arms and legs and head; his horse nodding his head, moving his ears and shaking his tail in sympathy.

"A fine story, and well told, Pancho," said Herman; "and all this is for our benefit. Mr. Brooks evidently thinks that there is no longer any necessity to take care of his fellow conspirators, that they can do him no harm. He may be mistaken."

"Huh," exclaimed the Doctor, "Brooks never makes

mistakes when it comes to carrying out his rascally projects and in dealing with his unconscionable tools. You can rest assured he has some hidden scheme by which he insures himself against any acts of these men, or else he has them every one in his power, which I doubt is the case, unless it be General Peters or maybe Espinosa, whom he has not yet turned on. Brooks knows better than anyone whether or not he is running any risks."

"What became of Sigismund after the dog episode?" enquired Herman.

"He dressed Mr. Brooks' hand almost as well as you could, Doctor, and afterwards I saw him dining with him and Manuel Espinosa. How is the campaign getting along, Mr. Thomas?"

"I can't tell. Everyone speaks nicely to me, and from their wishing me success always, it would look as if I had easy sailing; but the Doctor says it is only their good nature and politeness; that they do the same with the other fellow."

"Well, the Doctor is right as to a good many of our people, but the most of us are loyal to a friend, and when it comes to voting will stand by him. I think you will have a big vote in St. Agnes, but you have some enemies that are doing ugly work aginst you; Missouri Bill and the gamblers secretly, and Scotty and Shorty and their gang of loafers openly. From what I hear from the worthless *paisanos* that sell their votes every year, a scheme is being gotten up by the gamblers, and it looks to me as if Stanley had a hand in it, to try to bleed you just before election day. But, win or lose, Mr. Thomas, the most of our people will always be your friends. They haven't seen anything of the world, but they can tell a good man and one that has a good heart. *Hasta lluego, cavalleros,*" and he rode off.

"Thank you warmly, Pancho," called out Herman; "and good luck to you in everything."

"*Adios, muchacho,*" echoed the Doctor, as he started up the horses.

The drive, after having come out of the pass, was along the coast, across numbers of barren and uninteresting ravines and barrancas and a few beautifully wooded and picturesque cañons, the haunts of game, through which

flowed a stream from the mountains, in those days alive with trout. In each of these was a ranch-house near the coast highway, where our campaigners stopped and chatted a few moments, and the support of the voters frankly asked for Herman in his candidacy.

The travelers had timed themselves to be at one of the most picturesque of these cañon ranchos a little before the lunch hour. It was owned by three young men from New England who had come to the country with a little capital which they invested in this property and a small band of cattle. Young then they were, but two — brothers — are old men now, long engaged in different and less free and independent pursuits in other fields; and one, after thirty years of struggle and devotion to duty, at the end burdened with debt and prostrated with worry, went to his eternal rest leaving behind him the love of wife and family and the affectionate remembrance of loyal friends, among whom is the chronicler of these events. Of these two brothers, York, one was of the fat and the other of the lean kind. Both were jolly companions, but the one with the abundance of flesh, in words, looks, and actions, was a wag, and his comical expression, with the layers on his cheek and chin that undulated in sympathy with the twinkle in his eyes and the laugh on his lips, his complaining voice, and quaint humorous conceits were irresistibly mirth provoking. They found, on reaching the ranch-house, the Chinese cook in charge, who was putting the finishing touches to a game stew, the fragrance from which gave a keener zest to the appetite of our friends than the finest cocktail mixed by the expert of the St. Louis bar could have created. To their inquiry for the *padrones* the Chinaman answered:

"Missel Franklin and Missel James gone St. Agnes; Missel Tom, he makee wine. He vely good makee wine. Vely fat. You catchee him wine pless," pointing up the cañon.

They walked up the direction indicated, and about a hundred yards from the house, in a bunch of trees they came suddenly upon the wine press which resembled a great ash-hopper. When it first met their eyes they stopped short for a moment startled. It had the appearance of a grotesque living monster. In its crater was a plunging,

nude, purple-dyed, fat being, like an animate gargoyle, his knees flying up and down, and his arms gesticulating wildly, while a great swarm of bees encircled his head and shoulders. Going closer they discovered that it was only "Missel Tom makee wine." They gave a shout to their friend of the fat kine in the hopper, and leaned against a tree and laughed until the tears came.

"I don't know what you're laughing at," whined the wine maker; "it's no easy work; come up and try it yourselves. It's no fun either making a bouquet of yourself for a swarm of bees. I've got all the wine out of these grapes that amounts to anything, and it's dinner time, so I'll come down." And Mr. Tom York emerged like a huge dumpling from a bowl of wine sauce, cautiously descended and stood before the visitors in his bathing trunks, his rounded body bathed in purple juice and bespangled with grape skins, glistening in the sunlight. It needed but a wreath of grape leaves to make him a reincarnation of Bacchus, which Herman quickly wove and crowned him with, and he and the Doctor did him homage. In return he offered to clasp them to his arms; but they dodged his embraces, and he betook himself to a wash-tub under a neighboring tree, provided for his ante- and post-grape-treading bath. Herman felt really sorry he had witnessed this illustration of primitive wine making; for "treading the wine press" had been a beautiful scriptural metaphor which from childhood had poetic place in his mind with kindred ones such as "the pitcher is broken at the well," and "the grasshopper is a burden": it never could have the same ideality now, with the picture before him of Tom York as the actor.

The game stew was even better than its bouquet portended and there was more than enough for host and guests. To make perfect its relish there appeared on the table a bottle of the ranch wine which Mr. York begged his friends to partake of, telling them it had a real pachula bouquet.

"Huh, is it some of your new wine?" asked the Doctor.

"Who, Doctor, would ever think of prescribing for your veteran gullet anything as tame as unfermented grape juice? No sir, this is of the dry year vintage of '64, when

TOM YORK TREADING THE WINE PRESS

there was no water in the vines and it came forth the pure blood of raisins, rich and fruity, and mellow, and yet strong enough to tickle even your oxidized palate and warm up your asbestos lined stomach."

"Not so bad," said the Doctor, smacking his lips; "not so soft and delicately flavored as the Ruheplatz, but pretty fair *vino del pais.*"

"It depends on a man's taste," said Mr. York; "some people prefer a mule some people an unadulterated mustang. Give me the mustang. Ruheplatz wine is a hybrid; Spanish grape juice grafted on French lees, while this is the pure wine of the Mission grape, fortified by the strength of virgin soil. Ruheplatz makes the stomach glow a trifle, and quickens the pulse a little, but the rich red wine before you warms you through and through, and sends the blood coursing gloriously through the veins. Ruheplatz puts you in a good humor, and makes you sociable; this thrills your soul with joy, inspires you for any brilliant performance or wild frolic."

"What a wonderful effect it must produce on you," said the Doctor, "when you take it both as a draught and a lotion."

As soon as luncheon was over the travelers bade goodby to Mr. York and left him to a well merited siesta after his morning calisthenics. They made as good time as they could on the home stretch to St. Agnes, and arrived at dusk. Capt. Seymour and Sigismund were awaiting them at the St. Louis and had ordered a little dinner over which they exchanged news budgets and discussed the incidents of the campaign.

## CHAPTER XXXIV

### A DUEL BETWEEN A GENERAL AND A CHEF

HERMAN'S account of the trip across the mountains afforded Capt. Seymour and Sigismund considerable amusement. Sigismund in return gave his version of the Pedro-Brooks encounter, with many embellishments and laughable side-play. He said that the only visible sign it left with Brooks was his bandaged hand; but that Pedro was very ugly and showed his spleen. He had thrown himself in his way and had a number of talks with him about his connection with Brooks, Espinosa and El Roblar Viejo Company; and Pedro in his wrath, kept fervent with aguardiente, seemed to lose his secretiveness and blurted out nearly everything he knew; and Sigismund later repeated to Herman his admissions and, when they were alone, told him it came to light that Pedro had sold all his stock in the Company to Walter Stanley at ten cents on the dollar of its face value, which Sigismund declared, was the shrewdest thing he had ever done, and, at the same time, showed Stanley to be in business matters, an ass. Probably Brooks had heard of this, and it might have been one of his reasons for dropping him suddenly.

Sigismund had also cultivated the companionship of Espinosa who had been in town several days and had himself courted Sigismund's society, and talked with him more frankly than he did to anyone. Sigismund encouraged his bitter feeling against Brooks, and in a serious manner advised him to plan to become independent of him, which he believed could be accomplished without any self-sacrifice. Espinosa himself realized that it was only a question of time when he would be given his *conge* by Brooks, if not as roughly, equally as mercilessly as were Peters and Pedro.

"I know only too well, Mr. Sigismund," he said, "that if I do not escape his service and association, I shall be

disgraced and ruined, and even my life will not be safe. As it is, I take it in my hands every time I go to the rancho, with that wild Indian El Erizo on my trail. I keep eternally falling into Brooks' traps and making myself his scapegoat, only realizing after I am committed that he has been using me as a tool and a shield. He has sent a Texan border-ruffian up to the rancho, for the evident purpose of doing up El Erizo. In an off-handed way he had me employ him as a major-domo and give him charge of the rancho, and point out to him where the land lay claimed by El Erizo; while he secretly by hints and innuendo posted him on what he really wanted. Now, if any trouble or tragedy results, the blame will be thrown on me. At the same time, if I should leave him, it would be without a cent, and I would forfeit all chance of turning my stock to account or profiting by my interest in the property through familiarity with his plans and operations; and besides, he would pursue me with sneaking slurs upon my character for truth and integrity which, together with the odium I now possess from being in his service, would damn me in any other enterprise I might engage in or employment I might seek."

"Were I in your place," remarked Sigismund, "I would make stupendous efforts to get him in my power — indeed I believe you know enough now, if you nerved yourself to use it, to bluff him into liberal treament — and if I failed in this, and I were convinced he was, on his part, planning some treachery towards me, and meant to make me his scapegoat, I would weave meshes about him from which he could not escape and deliver him into the hands of those he has swindled, and who believe you to be his confederate."

"All this has passed through my own mind, and some day he may realize that, although I have been his tool, I am something more than his dupe; I am now on my guard against his every word and move, and have gone back to my old apparent subserviency to him; and cunning and quick as he is, he'll never catch me unmasked. Although he has never spoken a word about it, I have divined what he is at present after in reference to El Roblar Viejo Rancho, and why he wants particularly now to get El Erizo out of the way. He is interesting some Eastern pro-

moters in organizing a heavily capitalized company to buy his stock in El Roblar Viejo Company which means virtually the entire issue, as what Stanley and I hold, counts as nothing, and there are a hundred ways of freezing us out; and he, devil as he is, will make it a condition that we be frozen out. He has had a mining engineer of reputation, working incognito as a prospector, go over the rancho, and he has reported valuable oil deposits located on it, and the most valuable partly upon the portion claimed by El Erizo. The rancho has, as everyone knows, a large area of fine agricultural as well as grazing lands and is well watered and accessible. It is a most attractive property to promoters. If he were like almost any other human being, he would take me into his confidence and afford me the chance to win something at no cost to himself, and he knows that I could be of material aid to him; but he would rather see me victimized than himself gain something through any efforts of mine which are not servilely wrung out of me. He has taken his office work away from me, I know, to keep me from watching his correspondence, and has just recently employed an automaton-like English scrivener who does his clerical work like a machine, seeming not to know anything about it or think anything about it."

Sigismund remarked that it seemed strange that he should have taken a new man to do his confidential work, thus giving opportunity to one more to become familiar with his operations in this piece of business, and asked where he found him.

"It does appear remarkable," said Espinosa; "but he seems always to know what he is about. The man came to him seeking a place, and had high recommendations from Latham's Bank, and he put him through an inquisition, sized him up in his own mind, and employed him within the space of fifteen minutes."

"Don Manuel," said Sigismund, "*caro amigo*, you have, indeed, a satanic personage to deal with; but I will wager my soul that if you keep me posted on his movements, giving me exact details of his slightest acts, I will discount him and free you from his slavery with full pockets. There never was a cold-blooded scoundrel of Brooks' type, how-

ever able and cunning, who did not have a vulnerable spot, and with him it is not in his heel, but in his head. His blind confidence in his own infallibility will lead him into a pit when he least expects it. What do you say? Shall I be your auxiliary, your comrade? Yes? Well, here's my hand, and you may shake your fist at Brooks while in Schiller's words you can say to me, '*Arm und arm mit dir fordre ich mein Jahrhundredt in die Schranken.*'"

Sigismund in entertaining his friends at dinner with his mimicry of Brooks, Pedro and Espinosa, did not disclose these important parts of his interviews with the disgruntled tools of Brooks, but imparted them to Herman later.

While this party of four were enjoying themselves at one table, a party of two were at another table in the dining-room: General Donaldson and a stranger — a round-headed, dumpling-faced man, with a bald head, a nervous, jerky manner and a loud voice with a stammer in it. They seemed to be having as much amusement as our four friends in their way, for every now and then there would be heard a mirth-provoking chuckle from the General, followed by a sibilant sound, like the last gasp of an exhausted soda syphon (his constitutional laugh), and a great guffaw from his guest. The notice of the Doctor, Capt. Seymour and Herman was first particularly called to them by a toss of the head and a twinkle in the eye of Sigismund, when they simultaneously glanced at the other table.

The General sat upright in his chair, his breast a couple of feet removed from the table, while the promontory below was braced beneath it. With one hand he rested his fork upon his plate, and with the other he was softly stroking his blonde beard, while he gazed with an expression of wonder at his companion opposite. It was at the salad course, and this gentleman was leaning over the table, his head above his plate, and was performing the most marvellous feats of Chinese juggling with a steel knife, well sharpened for the rotis, loading it to the handle with potato salad and projecting it into his cavern-like mouth; withdrawing it, reloading and discharging it, without once marring the sides of the gangway with a slash. The General turned suddenly and caught Sigismund's eye, who in an instant raised his wine and bowed, saying:

"General Donaldson, I have been trying to catch your eye to drink your health and ask you if you and your friend will not take your dessert with us and pledge our mutual friend, Mr. Thomas, in wishes for his success."

"Certainly, sir, certainly, sir. It would afford me great pleasure, when my friend has devoured the remainder of his salad, of which he is very fond." It was evident, from the unsteadiness in the General's voice, that he had been indulging in the cup that cheers more freely than was his custom.

"Eh-he-he-he, I'm through," said the other, scraping up what was left of the mayonnaise dressing with his knife and drawing it out between his lips, shining, as if from an emery cleaning machine. "That's as nice a mess of tater salad as I've put into me since I left the plantation in Kentucky."

"Gentlemen," resumed the General, "Mr. Sigismund, Capt. Seymour, Mr. Thomas, Dr. Vanderpool; this is Mr. Billington, a gentleman born in Virginia and bred — hem-hem — that is to say, raised in Kentucky, in the part where the best cob-smoked hams come from. Mr. Billington brings letters to me, and it is suggested that we form a partnership in the practice of law. Mr. Billington has just come from San Francisco where he has been in a law office, supplementing his studies begun in the South befo the wah," and the General hoisted himself to his feet and he and his companion joined the other party.

"So you, like the General, were in our late unpleasantness, Mr. Billington," said Herman.

"Eh-he-he-he, yes suh. Went to the wah from University Virginia, where I was s-s-studying bells, letters and law, and s-s-served the Confederacy by gittin licked in twenty-nine battles."

"What do you mean, sir?" said the General. "Do you wish it to appear that the Confederates were always getting licked? You must have belonged to the stragglers' brigade. The corps I was with never got whipped, sir."

"Eh-he-he-he, then I know more of the s-s-science of wah, General, than you do. I've witnessed enough brilliant retreats to have qualified me to command the army of the Potomac in the early part of the wah. I never was a

s-s-straggler, suh, especially in a retreat, and there wasn't a man in our regiment could make a year of con or a s-s-sweet potato go further than me, on a forced march."

"And more rapidly and with less ceremony, I have no doubt," snapped the General, glancing at the empty salad plate at the table they had left. "Could I ask you to name one of the brilliant retreats you refer to, where you exercised your ability to subsist without inconvenience on sweet potatoes?"

"Eh-he-he-he, I was ahead of S-S-Sherman, on his parade through Georgia, and you must admit, suh, that it was a most effective retreat. It required all the qualifications of a s-s-soldier to properly hold his own in advance of the Yankee army. A man had to be s-s-stern, suh, s-s-smothering all promptings of compassion. I was on a large grey mare which I had captured with gallantry from two niggahs, and in the heat of the day, when the s-s-sun was hot enough to roast a s-s-sweet potato without any fire, I overtook a man on foot carrying a rifle who s-s-seemed to be about played out; and as I passed I looked back at him and s-saw that he was a very old man, about s-s-seventy I s-s-should think, with white hair and beard, and the image of my grandfather. My first generous impulse was to dismount and offer my hoss to this venerable s-s-soldier, but the words of the French hero came to my mind 'swavvy quy put,' and instinctively I steeled my heart and put."

"Very commendably prudent," said Sigismund, "and displaying the true genius to make successful a retreat. A much safer policy, under such circumstances, than General Pope's, of whom the Irishman said, 'his head quarters were in the saddle, but his hind quarters were never there.'"

"I'm a simple-minded and ingenuous man, gentlemen," said the General, "and, as is mostly the case with such characters, I am blunt and outspoken, and I somehow find it hard to attribute insincerity to another, but I'm d—d, Billington, if I don't think you're lying. Gentlemen, I hate to belittle a man that I myself have introduced to you, but what that man has been rehearsing to you as facts is the purest fabrication; I have a letter from a brother officer in the Confederate army who writes that Billington was one

of the pluckiest and least complaining about short rations of any soldier in his regiment."

"Eh-he-he-he, why the devil s-s-should I complain when I could confiscate a contraband hoss from a niggah when I wanted, and the country was full of s-s-sweet potatoes, my favorite ration?"

After the glass of the General had been filled by Sigismund with Burgundy and emptied several times, he brought his plump hand down with a thud upon the table, causing what sounded like a Swiss bell-ringer finale from the china and glass-ware, and in accents somewhat thickened, exclaimed, "Comrades, no artistically garnished feast ever came to end without being crowned with that thing of beauty and soul's delight — what was really the goblet of nectar of the gods — a bowl of punch. You will have this with me, and, with my own hands that have let loose the fires of hell on many a field of battle, I will light with less deadly and more sweetly-scented flames its billowy bosom. Here, Latour, a punch — the one the secret of whose delicate constitution I have imparted to you. Do not omit the tea or the soupçon of maraschino or the toasted banana."

"By gollee, Monsieur General, I will make ze punch as you have teach me, but I tell you here, dere is not in ze house a block and tackle to put you to bed when you have dronc it," and Mr. Latour rotated himself through the dining-room door before the General's ire could shape itself into a retort. The punch in due time appeared, and the General sat back of it, a beaming, rotund wizard, and conjured up from its depths the shooting, swaying, dancing blue tongues of flame, and, with silent incantation, dropped into its fires bits of spicy and fruity condiments that would have been as fatal to the unhallowed charms of a witch's cauldron as the aromatic leaves of the blue gum is to man's physical torturer, the flea. Insinuating, enticing and seducing was the delicately flavored mixture, and its contents soon disappeared — the General the best patron of his own inspired brew — and when the bottom of the bowl was reached, his companions saw that he was rife for any fight.

"Here, here, you frog-eating Cassius — you, with the lean and hungry look — another bowl of punch, and waste no time," he shouted; and as Monsieur Latour made his appear-

ance, and stood by the table, glared at him fiercely, and continued, "Do you not see that this bowl is empty? Any imbecile of a French garçon would know better than let an empty punch bowl sit in a circle of *bon vivants*. Don't stand there like a bloated wine-skin, but fill that bowl, or I'll have you triced up in two shakes of a lizard's tail."

The others shook their heads significantly at the landlord, and he, planting his fists on either side of his broad pedestal, and meeting the General's glare with one as fierce, said:

"By gollee, Monsieur le General, if you are dronc as a cochon you have no right to insult me, and you cannot ordaire me about like one of your negres. You vill understand zat I am general here, and you vill not tie me up; but I vill put you in one box stall until you get sobaire. Make your own ponch."

As the General began preparations to arise and face his foe, Sigismund glanced at Latour and motioned to the door, and making a trumpet of his hands, sounded the French retreat. Then as Latour, taking the hint, started for the door, he jumped up, seized the punch ladle, and strenuously beating time, sang with an inspiration that sent the landlord with a more than usual lightning-like squirm through the exit, "*A tu vu la casquette-a, la casquette-a, a tu vu la casquette du pêre Bougeot.*"

As Monsieur Latour disappeared through the door, the General had gotten to his feet, and like a brave soldier charged face front at the portal through which the enemy had disappeared. Unfortunately he had not acquired the gyrating method of passage which afforded a ready and safe exit to his foe, and the impetus of his fierce charge sent half his body through the narrow portal, where he was arrested, wedged between its sides, powerless to advance or retreat. And there he remained, kicking out behind at imaginary pursuers and with eyes flaming, shaking his fists in front at the object of attack, and emitting a volley of gentlemanly but forcible oaths that would have themselves routed the kitchen corps, if their hurler had not been in a strait-jacket.

"Eh-he-he, General," said Mr. Billington, "the French

have got you in a tighter place than the Yankees ever squeezed you into," which only added fuel to the General's wrath. While Sigismund and Herman, having recovered from their convulsions, tried to pacify the prisoner, Dr. Vanderpool was exercising his skill and ingenuity towards effecting a rescue. He ran out through the adjoining room, procured a discarded table cloth, made a bandage, and worked it, with the assistance of Sigismund on the other side, one side at a time, between the General and the door jamb; planted a pole a couple of feet in front, crossed the ends of the bandage around the pole, made a tourniquet, and gradually compressed the abdomen of the prisoner until he saw it would run clear of the vice; then directed Sigismund and Herman to give him a pull backward, while he eased up the line. With their propulsion the General shot backwards and fell upon his rear — back where he made his attempted sortie, where he sat, fuming and swearing, unable to arise. With considerable difficulty they got him to his feet, and, without his being conscious of their direction, piloted him out into the street to the door of a building of which the upper story was an annex to the St. Louis, separated by an alley from the hotel proper. The rooms opened out upon a porch running the length of the building. At the end where the stairway ran was the General's room, and the next to it had been assigned to Mr. Billington, while at the corner, on the other end was a suite occupied by Capt. Fulton and Herman who had abandoned his corral quarters. It was an undertaking which required the combined engineering skill of Sigismund and Capt. Seymour and the strength of the whole force to get their charge aloft without accident. Ever since they had left the scene of his discomfiture he had been muttering to himself, "Foiled by a Frenchman, yes, sir, a d—d frog-eating chef, and I commander of the finest drilled brigade in the Confederate Army. Disgraced, forever disgraced for failing to break his menial head. A measly manufacturer of entrées and soufflés, a night-capped cook. I would be the laughing stock of my fellow officers if I called out a cook. No sir, my mortification must be, with his d—d cooking, swallowed." At last they had the General planted in his room with his back to the bed, and the Doctor and Sigismund

quickly and skilfully divested him of his outer clothing, when he appeared in a suit of flaming red flannel underclothes which visibly and grotesquely augmented his proportions into something satanic. Pushing him gently back, he sank upon the bed, swung over full length upon his back, presenting the appearance of a red brick bake-oven. Then, for the first time, he awoke to the fact that he had been put to bed. With a voice filled with husky indignation, he said:

"What does this mean? Another insult and from men who claim to be gentlemen! How dare you lead me to my apartment and place your hands upon my person? I have never permitted even my orderly to make an infant of me. I resent it, and I shall take satisfaction in chastising you." And he commenced to sway his body from side to side, to gain the necessary momentum to reverse from back to belly — the only way the General, once prostrate on his back, could rise. Our friends beat an instantaneous retreat through the doorway, down the stairs, which movement relieved the outraged gentleman from the obligations to vindicate his honor, and he hurled after them in a tone of contempt the epithet, "cowards!" They waited a few moments in the street opposite the warrior's bivouac, and in a few minutes there issued from it a gurgling sound and then a series of snorts, followed by rapid ejaculations, "Give em hell! — give em hell! — give em hell!" and finally a prolonged hissing whistle, which repertoire was repeated and re-repeated. The General good-naturedly informed them afterwards that the ejaculation and whistle were his battle cry to his men on a charge.

## CHAPTER XXXV

### THE CAPTAIN'S FLOWER GARDEN

As the evening was still young when the General's collapse occurred, after separating from the Doctor, who went to hunt up his — for a time — neglected patients; and Sigismund, who wished to have a business talk with Brooks and Espinosa concerning some machinery for the rancho (Mr. Billington having retired to his room adjoining the General's some time before), Herman suggested to Capt. Seymour that they make a call upon Col. Morgan and his daughters. The two had lit their pipes and were strolling aimlessly toward the beach. It was one of those nights in the heavenly season twixt summer's wane and winter's wakening which had wooed and won to cloistered St. Agnes many a wanderer over the globe's face that nowhere else had found such magic loveliness, such witchery. In no other spot are the heavens jeweled with such brilliant clusters of glittering gems, and the ocean breaks on no other strand with such a calm and limpid bosom in such softened tints, with such rhythmical cadence, in breakers so gentle of snow-white foam; and no other shore curves so gracefully and is broken so picturesquely with outreaching points and slopes and bluffs, and feels the throbbing of another beating surf across the sea from isles beyond, idealized by filmy veils of mist, that rise in rambling towering shapes, ramparts of the horizon. Nor can they find a valley so shaped in loveliness, nestling so sweetly and peacefully, sheltered by such fairy featured mountain barriers which night casts no gloom upon, but simply curtains their ever carrying lights and shades and turns them to queenly sentinels, shadow-draped, with diadems of stars. And no mountain's breath or ocean's breeze, in any other blessed clime, has the balmy sweetness, the seductive softness, the refreshing spirit that lurks in St. Agnes' autumn sighs. And from no other sky or sea,

lake or cave, or glen or whispering voices of nature's mony, can be invoked a spirit of romance so sweetly e, so winsomely wooing, so soul enchanting as wakes walks when day has fled where autumn strews its golden eaves on this dear virgin's shrine.

Capt. Seymour did not answer Herman immediately, but silently puffed away at his pipe, apparently in a brown study. Finally he said, as if to himself:

"I fear I am no longer *persona grata* at the Morgans. No, I should not say that, for Miss Martha always welcomes me sweetly and the Colonel seems glad to see me and I feel he likes me; but Miss Anna really turns up her nose at me. Since Stanley with his drawing-room manners and society talk has appeared on the scene, I am always impressed with the conviction that she regards me as a boor. And there's no use of concealing it from you, Thomas, I once had a great deal of enjoyment in her society; we seemed congenial, had the same tastes in many things, and liked the same diversions, and without exactly being jealous, it makes me ugly to see that fellow come in and spoil it all, and I am ass enough to show it, which only makes her humiliate me more."

"O Captain," said Herman lightly, "she will some day appreciate you and be glad of your company more than ever. She is only a fickle, impressionable girl now. She has absolutely nothing in common with Stanley and she will find it out sooner or later."

"You are right. There could not be anything in common with them, for she is a good, innocent, child-like woman, with no idea of evil, and he is a thoroughly bad man. I hope to God it will not be too late when she discovers this. Well, I will go with you and try not say or do anything that will invite her disdain."

As they approached the house the walk ran under the branches of a row of tall poplars planted by a pioneer otter hunter who had appeared in St. Agnes just before the Mexican war, and became a dealer in hides, having through innate tactfulness and courteous good nature, popularized himself with the natives and was content to end his days with them. There was one thing, however, he must have, he said, to take him back to his childhood days and native

scenes, and that was the music of the rustling, sighing, whispering leaves from the swaying branches of those never silent trees that cast their shadows about his old Eastern home, the music that mingled with his boy dreams of faraway lands and unknown seas. The autumn had painted their foliage in lemon tints, and there was a golden bed beneath, through which Herman drew his feet, as he loved to do when a boy, sending them swishing along traceless furrows from side to side. When they had reached a tall tree at the end of the walk opposite the house, to which the thick foliage still clung, they stopped and lingered, as the tones of Martha's rich voice came out through the open door and was borne in plaintive sweetness upon the air:

"And my heart is drear with sighing,
And my witched thoughts are flying
Far away."

It sent a thrill through Herman's heart to hear that voice, that he had grown to think had more sweetness and feeling in it than any he had ever listened to, unbidden, sing his song, and sing it as if it expressed the singer's own soul's longing; and in the shadow of the shielding poplar he brushed away a few tears, while a yearning from his own heart blended with the longing her voice poured forth. And among the whispering leaves above them a sigh from the bosom of the deserted Captain went up in the circling incense from his faithful pipe.

As the last stanza died away they crossed the street and entered the grounds. Col. Morgan was seated on the porch, his spaniel at his feet, and Anna sat beside him on a child's rocker, gently moving back and forth and toying with the Colonel's hand. The dog got up lazily and went to meet them, wagging his tail, and looked up into the Captain's face and kissed his hand and then went back and laid down. They were warmly welcomed by both, Anna greeting the Captain in her old cordial way, which made his face light up with pleasure. After a word with the Colonel and Anna, Herman stepped into the parlor, and shook hands with Martha who had just arisen from her place at the piano.

"You do not know," he said, his self-consciousness overcome by the sincerity of his feeling, "how touched I was to hear you, the night of my return, singing the ballad I wrote for you, and it was with so much pathos. It was a sweeter welcome than any being in any words could have given me."

"Well, strange to say," she said, with a smile, "I was thinking of you this evening, and it was this that prompted the song. Do you believe you will feel very, very badly, should you be defeated in what you are now aspiring for?"

"Oh, no," said Herman laughingly, but with a little flush to his face; "but why do you ask me — do you think that this is to be the outcome?"

"Not from any information given or prediction made to me, but it would really make me feel badly, if you should take it as such a serious blow to your life's ambitions that it would distress and dishearten you. I would not like to see you grieve over it. Frankly, I cannot feel sanguine of your success, as do father and all your friends. You seem to have little in common with the mass of voters that control the destinies of political aspirants, and I am fearful of your being able to depend upon those that only would support you from party reasons. The rougher element seems to resent refinement, and no matter how good-hearted, kind and charitable the candidate may be, if he displays it, they do not appreciate and do not like him."

"I do not know but you are right," said Herman, "if you mean by the rougher element, the ill-mannered, uncivil, rowdy loafers. I do not claim anything beyond ordinary gentility; but I know they do not like me, and I give them cause, for it is hard work for me to be fairly civil to them, and I shun them. But with the decent poorer classes, the laboring men and trades-people, I am perfectly at home, and we like one another, and I have many true friends among them. But, really I regret that you feel in this way about my prospects, for from sensitive, sympathetic, thoughtful friends, truly interested in one's success, impressions like yours are often prophetic."

"Oh, I am so sorry I said what I did, if you take this view of my foolish words. Indeed, there never was anything of the prophetic in my impressions. I am the poorest

of oracles. I live a great deal within myself and out of the world and am constantly taking queer notions about things that rarely materialize in fact. I did not want to discourage you, and you must have the determination to win or you will fail — all I wished and what I now want to impress upon you is, to arm yourself to bear, without discouragement, the possible contingency of defeat, and to have heart for future efforts in higher aspirations."

"I thank you very much," replied Herman, with feeling, "your words will do me good, and the interest you show in my happiness will do more to give me earnestness in the struggle and manliness to accept failure, without regret, if it come, than any philosophy or compensation. If I could only always feel that your sympathy is in my life's endeavors, reverses would not be bitter and triumphs would be sweeter."

"Oh, dear, what a sweet-spoken, complimentary gentleman you are," said Martha, laughingly, all seriousness vanished; "like one of Walter Scott's or Fenimore Cooper's gallants that are ever saying such nice, poetic things to lovely, stately dames; but we had better go out and join the rest of the family, or we will be suspected of some deep, dark conspiracy."

Herman swallowed his chagrin at having his approach to sentiment so wantonly checked, and accompanied Martha to the porch where Col. Morgan and the young couple were enjoying the charms of the perfect night. The Colonel and Capt. Seymour were talking about Southern California and the County of St. Agnes, the physical aspect of the country, its resources and capabilities, its agricultural and mineral wealth, its water sources and how they could be utilized, and generally its development and future greatness. The Captain's face was full of animation, and as he conversed interestingly about the things he had made a study of, and displayed his wide information and experience, his whole manner was changed from the rollicking jollity he displayed in company with boon companions and the mock sentiment and jesting which he indulged in with the fair sex, and the intellectuality and serious thought, the true characteristics of his nature, came to light. Anna sat quietly, resting her arm upon her father's chair, and looked at the

young engineer intently, and listened attentively to his discourse, with an expression of appreciation, mingled with surprise and perplexity. Capt. Seymour's predictions as to the future development of what were then regarded by the outside world as grazing counties with no independent resources, have long since come true, and St. Agnes is now the garden spot he foretold. As they came out, the Captain got up and paid his respects to Martha and offered her his chair; Anna arose at the same time and stepped into the yard, looked up at the sky, and then around at the mountains and ocean, taking a long breath of the balmy air.

"Do not let us interrupt that instructive symposium, Captain, that you and Papa have been having," said Martha; "please continue: Mr. Thomas and I are good listeners, and I am anxious to get all the information I can about the country that is to be our home."

"I fear I have worn out the patience of Miss Anna with my prosy talk, indeed, I have about exhausted my subject," said the Captain; "I will let Mr. Thomas entertain you and the Colonel with some of the amusing events of his campaigning, and I will ask Miss Anna to be my instructor in flora-culture, and give me some information about the flowers which are her pets in the garden. Mr. Thomas and I hope to go keeping bachelors' hall very soon in a little place near here, and we wish to lay it out as attractively as bachelors can. Will you walk about with me, Miss Anna, and give me your ideas?"

"Certainly, I'll tell you what flowers I love, and how I like them grouped and the way the beds ought to be laid out to suit my taste; but if you wish to know the botanical names and the science of landscape gardening, you must have Martha teach you, she is the learned one."

"Oh, go on, you goose, and show the Captain what he wants," said Martha; "you and he can plan a bachelor's garden that will be pretty and sweet and bright and attractive to the young lady passers-by a great deal better than I."

So they strolled off together, under the pepper's feathery foliage, out among the flower beds.

"Now, Captain, what kind of flowers do you think should

go in a bachelor's garden; have you any sentiment or fancy about them?" asked Anna.

"Well, one thing should figure in it, that is the language of flowers."

"Why, all flowers are supposed to be symbols of some sentiment," exclaimed Anna; "how can their language figure?"

"Of course, I know that a lexicon has been constructed for them all; but the old-fashioned flowers whose language is known to all lovers with sentiment, are what I have reference to. Now, I would like, for instance, to have a bed in which were planted the emblems of beauty, sweetness, gentleness, innocence and merry-heartedness, and another of lowliness, devotion, love and longing, and call the first Anna and the second Cecil."

Anna stopped and turned, facing the Captain, and stamped her little foot, and said:

"Now, Captain Seymour, if you say any more of these silly things to me, I will go back to the house and talk to Papa, who is full of fun, but doesn't talk nonsense. It makes me very angry, because it's a reflection on me, presuming that I am an empty-headed child. It is all the worse that you can converse seriously and sensibly; I heard you to-night, and what you said interested me."

"I beg your pardon, Miss Anna," he replied, and there was an expression of sadness on his face; "you must know that I am the last one in the world to treat you as a child, and to think that you are a silly one, susceptible to fulsome flattery. We have had our happy moments together, and I always thought you could detect in what I said how much was playfulness and how much was meant in sincerity. This mock grandiloquence is a sort of enjoyable acting to me, and I thought you so understood it, and that you always saw the real feeling hid in it. Although what I have just said, so far as the imagery is concerned, was in the way of pleasantry, I painted what I honestly believe to be your character, and in the other picture, what I believe to exist in my own heart. It grieves me that you should have grown to have a distaste for my eccentric and awkward way of expressing myself. Heaven knows, I am no conversationalist. I have not been trained for social conquests.

I am no master of small talk, or student of social events, and when such a one is around I become mute. But, Miss Anna, I can think and feel keenly in spite of my silly way of talking, and I can be more devoted, more faithful, more sincere than most of these graduates in society's accomplishments. I will try very hard to say nothing that will make you dislike my company, for it would be sad to me, if my companionship should be shunned by you."

Anna had spied and picked a white carnation while Captain Seymour was speaking, and was now looking at it demurely, and now inhaling its fragrance. She said nothing for a moment; then turning, placed it in the Captain's button-hole, and said:

"Now be good and sensible, and I will not scold you any more. Tell me seriously how much of a garden you will have and your own ideas generally of what you would like it to be, and we can then pick out the plants."

The Captain dropped his imagery, and the two, as naturally as naïve children, went about the fascinating task. They were joined after a while by Martha and Herman. Martha said her father was tired and had gone to his room and had sent his excuses to the landscape gardeners, and that she and Mr. Thomas had come to see what progress had been made in their work.

"I fear, a night like this, that the Captain has delayed the work by reciting poetry," said Herman. "How many selections, Miss Anna, has he given you from the Lady of Lyons?"

"Not a line has he quoted," replied Anna; "this has been purely a business session, and we have gotten along very well in our plans; and we have entered into an agreement not to disclose them until the ground is staked out, when the superior learning and artistic skill of you and Martha will be called into action to criticize and revise."

"As for myself," said Herman, "I am willing to 'shut my eyes and open my mouth' and receive the douceur you prepare, knowing that it will be a choice one."

The evening's work of Anna and the Captain was declared at an end; the four went back into the house, and after singing some of Foster's beautiful negro melodies, which had not yet been pushed into the background by

the black-art rag-time music, the young men said good night, and took their departure. The young ladies had little to say to each other. Anna seemed distrait, and Martha looked at her thoughtfully when unobserved, and they retired soon afterwards. In spite of her annoyance at Capt. Seymour's half jesting, half serious suggestion of the two speaking flower beds, his words seemed to have impressed themselves on her memory, and they persistently thrust themselves in among the "daily food" in her little book of evening devotions, and as she closed it and blew out the wax candle, which was one the old Superior of the Mission had blessed, she repeated them to herself, "beauty, sweetness, gentleness,— very sweetly said, and if he meant it, a compliment I should be proud of. Lowliness, devotion, love and longing — he has, I know, little self-conceit, and I am sure from what I have seen in his loyalty to his friends, he could be very devoted. Love and longing — I wonder if he intended me to think that they were in his heart for me, and if so, I wonder if he spoke sincerely. Well, he is a good, true friend and anything but stupid, as I have learned to-night. If he were only more accomplished, more brilliant, more polished, and more a man of the world. Walter has all this, and he pays many nice, delicate compliments; and he is devoted, and he has hinted that there is love and longing with him, and —" Here Anna fell asleep.

Back under the same whispering poplars, through the fallen leaves walked the Captain and Herman. The moon had just risen, gliding along with them, glancing at them through the chinks in the trellis-work of branches and adding its queenly brilliancy to the glittering galaxy that lanterned the sky.

Breaking the silence, Herman said, "I must congratulate you, Captain, on Miss Anna's gracious reception of you to-night, and I trust that bachelor's garden, which I before did not realize you took so much interest in, will bring back the happy association of the ante-Stanley days."

"Yes, she was quite her old self with me to-night, but it was only after she had put up the bars against all approach to sentiment. She displayed no disdainful feeling towards me, and we were like old chums; but, Thomas, I am second in her graces, I know it, and it saddens me.

Not from personal pique, though it is natural for me to feel jealous when I think she once seemed to care to have me with her in preference to all other young men, and we have had such happy times together; it is the distress at the idea of her giving her affection to that villian as I believe him to be, and the thought of the effect of the awakening on her character and life."

"It is sad, indeed," said Herman, "and you are not the only one on whom the sadness rests. Anna's foolish fancy is bringing dread to the hearts of her father and sister; but I have faith that she will be spared a shock greater than the destruction of an idol that has not yet won her complete devotion. I feel a twinge of the blues myself this evening. This campaigning, with all its interesting incidents, is really distasteful to me, and to-night defeat is the vision that comes to me. I wish I had followed my first impressions and declined the candidacy."

"Well, I think we are two foolish fellows," said the Captain, "borrowing trouble in this way. It has been my experience that when I fretted over anything dreadful in the future, it never turned up, and I had all the disagreeableness for nothing."

## CHAPTER XXXVI

### EL ERIZO STAMPEDES THE COW-BOY

THE demands of the campaign for the next week kept Herman in St. Agnes and its environment. There was to be a big party rally, a public meeting at which he was billed for the principal speech, and the precincts in the immediate neighborhood had to be canvassed. The Democrats had already held their principal meeting at which Herman's opponent had stated the reasons why the people should vote for him. He did not attempt to enlighten the audience on the principles, accomplishments and aims of his party, but confined himself to his personal candidacy, and used as principal argument, that he had a large young family which had to be supported. Herman found that a great deal more attention was paid to this by the poorer classes than to his reply to the effect that he had not been able to make enough money to get married and become possessed of a family. At all political meetings in those days addresses were made in both the English and Spanish languages. The Spanish-speaking population attended always in force and applauded enthusiastically their speakers, but treated the speech as a recitation or a declamation, without dreaming of its being an appeal by which they should be influenced to vote for any particular principle or party. These orators were frequently invited from Los Angeles and San Francisco, not with the hope that their eloquence would change a vote, but by way of courtesy and as a tribute of recognition and consideration to the natives. At one of these meetings, Herman was surprised and charmed with a most scholarly address delivered in English by a gentleman who had previously spoken in Spanish. It displayed a study and comprehension of political economy and statesmanship expressed in the choicest diction that astonished him. He learned that the speaker

was Ygnacio Sepulveda, a native Californian, educated in Boston, and who had been with Maximilian, and only escaped sharing his fate through the intercession of Secretary Seward, with the sanction of President Lincoln. He afterwards was on the bench in Southern California, and finally made his home in the City of Mexico. Herman afterwards grew to know him very well, and remembered his address as the first piece of finished oratory he had listened to since he left the East.

Besides his political work, Herman had professional matters to attend to. He realized that he must take steps to tie up El Roblar Viejo Rancho, so that it could not be conveyed by the Company to an innocent purchaser. From what Sigismund ascertained from Espinosa, he felt that he could safely postpone action until after the election, but he wished to have everything in readiness to strike at an instant's warning. Antonio had had his interview with Brooks, the substance of which he reported to Herman, and Brooks had given him to understand that, unless he paid within thirty days what he had borrowed on his pledged stock, he would sell it in satisfaction of his debt. He said nothing then about discontinuing his service on the rancho, with his usual prudence waiting until he had news from the cow-boy and learned what had occurred since he had been given command. He was not long in getting news, and it was delivered by the Texan in person a few days later and before Herman had resumed his country campaigning. Brooks, Espinosa, Sigismund and Herman were seated on the front porch of the St. Louis, after dinner, conversing over their cigars, when the cow-boy rode up, dismounted and stood in front of Brooks.

"What does this mean?" said Brooks, in his soft voice and with his ominous smile. "What brings you back?"

"Look here, Captain, it wasn't a square deal you put up on me. You hired me to git away with one greaser, and there aint no one greaser or two greasers I can't git the best of, and I've done it more than once; and there aint no double team of Indians ever made me take water; but I didn't hire myself out to fight a tribe of Apaches single handed."

Brooks and Espinosa got up at once, and Brooks told

the cow-boy to tie his horse and come to his room; and the three went off. As they disappeared, Finland came up with Dr. Vanderpool and both seemed highly amused over something from the Doctor's chuckling and Finland's hearty laughter.

"How are you, Mr. Finland?" said Herman. "You did not remain very long over the mountains. You had some pretty rough lines to run and I hardly expected you to get through so soon. You and your chainman must be like goats, chaining at that rate through such a country."

Mr. Finland looked at Herman with his good eye for a moment, then switched off on his crooked one, and said:

"Young man, I would like to give you some lessons in government surveying, as practiced on the Pacific Coast, before you try any big land case where lines run by U. S. deputy surveyors are in question. Triangulation is close enough in a rough country, and it's a d—d sight quicker and easier than chaining. Isn't that so, George?" to his affidavit man who had just slouched up.

"I guess you're right," he responded, "though it's mighty little chaining I've had to do with you where the country's rough. The principle job's on me anyhow, whatever you do — swearing it through."

"I noticed that you and the Doctor were enjoying a laugh over something," said Herman, "have you anything amusing from over the mountains?"

"Yes, the best joke of the season on Brooks and Espinosa, that will make the smile on Brook's face sweeter than any hyena's when he gets the details. Old Erizo has put his desperado to ignominious flight, and gave him the nearest approach to a scare he has ever had in his life, and the whole country is laughing over it."

"Is that so-o-o?"

Herman turned and found Howells beside him, with a comical expression on his face, who had come up noiselessly behind him.

"The great American Le Coq," cried Sigismund, "why this is getting really interesting."

"Am glad to see you, Mr. Howells," said Herman.

"Have you seen anything of a Pennsylvanian drover and a Wells-Fargo stage-robber since last we met?"

"Yes, the drover disappeared at Pat O'Neil's, and the stage-robber with a pair of bracelets on him was a fellow passenger with me this afternoon on the stage."

"I suggest," said Sigismund, "that we five jolly, good fellows, repair to our friend Hans Hoefling's quiet resort, where we will be undisturbed, and laugh as merrily as we choose at the triumph of El Erizo and the discomfiture of Bully Brooks."

This was a happy suggestion, and they betook themselves to Wienerhalle, picking up Capt. Seymour who was strolling along in a melancholy mood, with his pipe as sole companion. Herman and Howells lagged behind the others and discussed the situation of the matters in which they were mutually interested. Howells told Herman that he had little or nothing to report concerning Brooks' operations in connection with El Roblar Viejo. He said that it might take a long time to secure results; that he was proceeding very slowly and in such a way as to make it impossible for Brooks to know that anyone was on his trail, and said that Herman need have no uneasiness about the expense incident to a protracted siege, as the work was done in connection with some other cases where parties interested were determined to find proof of Brooks' unmistakable rascality in a series of transactions that had to be brought to an end. He said he wanted Herman to go to San Francisco as soon as possible after the election and take with him a discreet friend who knew Brooks and Espinosa and in whom he had absolute confidence. Herman suggested Sigismund, telling him how he had interested this genius in the case and at the same time withholding from him the fact of his (Howells') connection with it. Howells said there could not be a better man for the purpose. Herman told him all Sigismund had learned from Espinosa and Pedro, and the conclusion he had come to to bring suit for Antonio to set aside his conveyance to El Roblar Viejo Company, on the ground of fraud, filing a notice of pendency of action, to prevent a transfer to innocent parties. He said that he would not touch the Señora Valenzuela interest until every means had been exhausted to procure convincing proof of the forgery of the deed. Howells suggested to him to have all the papers

prepared, ready to file before he went to San Francisco. Herman, further, brought up the matter of the claim of General Peters against Brooks. He said that appearing as attorney for Peters was most distasteful to him, in fact he had made up his mind to get out of it; besides he believed it would prejudice both Antonio's case and that of Señora Valenzuela; that he thought it might be arranged to have Peters represented by General Donaldson and Billington, who were Southerners and it would be easy to get Peters to give the claim to them on a contingency, especially if he, Herman, agreed to afford them the benefit of his information and indirect aid. Howells thought this an excellent idea. He then told Herman that he was to return to the City on the first boat, which was on the next day, and that he had advised Mrs. Stanley to go up on the following steamer. He had disclosed to her certain things in connection with Walter's conduct that made it very important for her to investigate the condition of her securities.

"Stanley," he said, "will bear a great deal of watching from his mother and anyone else who has any dealings with him. He and Brooks, I learn, who openly do not appear to know each other, have had several secret interviews. He is the kind of fellow that could be of service to Brooks and whom he could handle for his purposes without putting himself in his power. He probably has made Stanley believe that he will either buy or make valuable his stock in El Roblar Viejo Company, bought of Pedro."

"By the way," said Herman, "I wish it were possible for Antonio Castaños to raise the amount of his debt to Brooks, so that he could release his stock; he should be in position to make a tender of it when he brings suit for cancellation of his deed."

"Do you feel pretty well assured that you can win the suit for him?"

"I do; though, of course, you know better than most men that it is impossible to be positively sure of the result of any lawsuit. He owes Brooks $2500.00 and there ought to be a further fund of, say, $500.00 upon which he

can draw for actual expenses; attorney's fees would be contingent."

"If he will agree, in case he wins, to return double the amount advanced, I will get you the money."

"Bravo," cried Herman; "this I feel makes the victory sure."

They had reached the Wienerhalle; the others had been there some time, and the beer, including mugs for the loiterers, had been served by the worthy Hans, who was in a most sedate and peaceful frame of mind, and the most trying chaffing would not have ruffled a feather of his serenity.

"What infernal deviltry are you and that dreaded sleuth-hound engaged in," said Sigismund to Herman, "that you have been talking secrets together so long? I hope that you are not on the trail of any member of this select company. Look out, Finland, and keep your affidavit man hid while this capturer of the despoiler's despoilers is about.

"It would break my heart to have anyone of such a fine bunch of boys do anything so naughty as to require my services. But you can set your minds at rest, for nothing up to date has been reported to me implicating any of you gentlemen, worse than the fomenting of a deadly feud between a southern brigadier and a distinguished chef; and as no bloodshed has so far resulted, and the perpetrators haven't run away, I am not in it."

"Nor ever will be," said Capt. Seymour, "for the next morning I saw the General and the chef together sampling some cognac that had just arrived on the steamer, consigned to the St. Louis."

"We are here, gentlemen," said Sigismund, "and we are all on the *qui vive* with excitement to listen to the recital by our famed civil engineer, Mr. Finland, who is familiar with the battleground of the grand engagement between the forces of the warrior Brooks and the bush-whacker Olivera, or as he is termed by his *paisanos*, El Erizo, and his allies. Mr. Finland, we are all attention."

Finland cleared his throat with a bumper of beer and

delivered the following narrative to his appreciative audience, of which Hans had constituted himself one, standing bolt upright with his back against the partition:

"As probably you are not all familiar with the location of the land in dispute between Brooks and El Erizo, the scene of the tragedy, and the conditions that brought about the episode, I will describe the locality and state the situation. There is a range of abrupt hills, thickly covered with scrub oak and dense undergrowth and peppered with bowlders, running from the point claimed by Brooks to be the Piedra Pintada, and curving to the eastward at a sharp angle for about half a mile; then making a turn back westward for about a quarter of a mile and continuing south-west to a point almost due south from the Piedra Pintada, and from there continuing on eastward, the undisputed boundary line between the properties. The land in dispute lies between the crest of this range of hills and a direct line running from the Piedra Pintada to the point mentioned due south from it. The springs lie in the bite of the loop at the foot of the bordering precipitous bluff. These springs have always been the watering place of the cattle of the eastern range of El Erizo's rancho. As Dr. Vanderpool and Mr. Thomas know, El Erizo's cattle have the peculiar gift of reaching water and their noon-day siesta through any fence constructed at the instance of Brooks. Well, the next day after the Texan sent out by Brooks had taken in the condition of things, two of El Erizo's mustang steers were found dead at the springs with bullet holes through their carcasses. They were found by Antonio's vaquero, who reported the fact, under the grim orders of the Texan, to El Erizo. The owner seemed to bear the loss with equanimity, skinning the animals and hauling off the meat and the hides on his ox-cart. The next morning the vaquero brought the news to the Texan that four fine bred steers of El Roblar Viejo Company had been shot and killed, just within the borders of the El Roblar Viejo Extension. The Texan swore, grabbed his rifle, saddled his horse and went to view the remains with the vaquero. They followed El Erizo's example and prepared the animals for *jerkie*. When the hour arrived for El Erizo's cattle to patronize

their watering place, the Texan rode over with his rifle and took up a position close to the springs, and had only a quarter of an hour to wait until two or three of the beasts came strolling leisurely along. As soon as the first had crossed the fictitious boundary line and got within easy range, the Texan raised his rifle, when a shot rang out from another rifle and a bullet whizzed by his head. Turning quickly in the direction of the report which came from the end of the loop, he saw a curl of smoke floating up from beside a bowlder, at which he took instant aim and fired; then there was another shot and another bullet grazed the back of his head. He wheeled and fired at the spot where the last shot came from, when another from a point opposite knocked off his sombrero. This settled the question. He got off his horse, picked up his hat and minutely surveyed the surroundings. Not a human being was in sight and not a disturbance was seen or an unusual sound heard in the brush on the hillsides. He got on his horse, shook his fist at the coverts of the ambuscaders, rode back to where he had left the vaquero and told him he had concluded he didn't like the country and was going to throw up his job; and the next day, which was to-day, he 'vamosed the ranch.'"

"Bravo! bravo! *Viva* El Erizo and his band of sharpshooters," cried Sigismund. "It was well for the cow-boy that he was not the bearer of a certain sweet smile and branded with a white stripe across his head, or the first bullet would have cancelled forever that brilliant smile, and turned to sanguinary ensign that unnatural band of white."

Hans Hoefling had darted from his sentinel post and gathered up with a juggler's dexterity the empty beer glasses and disappeared into the adjoining room, where the mysterious noises incident to the breaking of a fresh keg were heard. He returned with the tankards foaming from the fresh tap, distributed them among the party, retaining one himself which he lifted in the air with an upright jerk, and sweeping the company with a commanding glance, exclaimed, "Gentlemen, we drink *Gesundheit* to El Erizo and his *Schutezenfest*. It is a shmart Indian that can get away mit a lawyer cow-puncher." And Hans went

back to his accustomed seat by his beer kegs and his journal of antiquated news.

"Brooks finding out that he's not a success as a land jumper will now make it hot for the old man in the courts, where he can have his turn at an ambuscade," said Mr. Howells.

"I'm inclined to think," said Herman, "that he will not find it as easy a task as he imagines to grab El Erizo's land by process of law, though he has the inside track. The old fellow has maintained nine-tenths of the law, and has forced the enemy to the proof of his title."

After a chat over the "ways that are dark" and the "tricks that are vain" of Brooks, followed by a discussion of campaign matters, the company broke up at an early hour. Howells asked Herman to go up to the court house with him. He said, as they walked along, that he felt uneasy about his prisoner; the Sheriff had not returned and though he had given Billy, the jailer, a bonus to stand guard during the night and had seen that there was nothing left on the prisoner's person or about the jail which could be used as a means of escape, he feared the jailer's stupidity and torpidity, and wouldn't trust him to keep awake. They had gone only a short distance along Nigger Alley, when the detective suddenly whispered in Herman's ear "quiet," and drew him into the deep doorway of the justice's court, where they were hidden from view. In a couple of minutes two persons went by on the other side of the street, conversing in low tones, and Herman caught the words, "a d—d slick job."

Howells told Herman to follow them stealthily until they came out into the light by the Wienerhalle where he could see and identify them positively, and then to come as quickly as possible to the court house, if he wished to see some fun. Saying which he ran like a deer in that direction. Herman obeyed instructions and recognized the couple as the Texan cow-boy and the gambler Buckley. He then ran after the detective and reached the court house not many minutes later. He found Howells and the jailer standing by the rear wall of the jail, and the latter bent over, his ear planted against it. As Herman came up he rose up and whispered to the detective:

"I guess you're right, Mr. Howells, there is some punching in the wall going on inside."

"Yes, and that tool he is working with was passed into him right under your nose. Now, who was here to-night?"

"The only one I've seen to-night, was a tall fellow with a black moustache, who looked like a cow-boy. He came and stood at the court house door, and asked me what building it was, and then wanted a light for his pipe. After he got his light he wanted to know if the Sheriff was around, and I told him he wasn't. He then said he would leave a note for him and he asked me for a piece of paper, and I took him into the Sheriff's office and gave him his paper; and while he was writing, I went outside and took a look into the jail, and everything was quiet, and I stayed there; and the man came out and gave me the note, and went off, and you found me where I was when he left."

"Yes, and you infernal idiot, his pal passed the prisoner some tool to dig out with, while you were in the office. You come now and open the jail door; and if he brains you, there will be one jackass less in the world."

They went around to the front of the court house to the Sheriff's office.

"Now," said Howells to the jailer, "if you want to save your own neck and Mr. Miller from paying a round sum in damages for letting a prisoner escape, you do exactly what I tell you. Go to the front of the jail and call the man and tell him two friends want to see him, and ask if you should let them in. When he asks their names, say Buckley and Texan Joe. Then come back and I'll tell you what to do next."

After doing as bid, and receiving a gruff direction to "let em in," he came back and awaited further orders. The detective drew from his pockets a pair of hand-cuffs and a piece of rope, and handing them to the jailer, said, "Unlock the door and throw it wide open and follow me into the jail-room, and when I tell you, clap the bracelets on his wrists, and tie his legs."

The jailer threw open the door and the detective leaped into the room, flashed his bull's-eye on the prisoner, and covered him with his revolver.

"You needn't reach for that bar, but get up quick, and turn your back or I'll bore a hole through you before you can play any monkey business."

The man gave him a sullen look, and then got up and turned his back.

"Put your hands behind you," commanded Howells. "Now, put on the bracelets, Billy,—now throw him down and tie his legs, so that he can't move; if it cuts into the flesh a little it don't make any difference, he'll have time to nurse them in San Quentin."

Billy quickly and efficaciously accomplished the job, which was an easy one to the ex-stevedore.

"Neatly done, Billy; now lay him on his back or his belly — which ever he wishes — on his luxurious couch, and lock the door and leave him to what will be for the rest of the night his undisturbed slumbers. There, Jim;" addressing himself to the prisoner, "pleasant dreams. I shall tell Buckley and Texan Joe that you owe to them being put in a strait-jacket. I was treating you like a gentlemen; it isn't my way to be hard on a man in trouble, and you are a darned fool to let them put you up to this game on me, especially when you know I'd have you some day or other." He pocketed his revolver and told Herman that the entertainment was over and they might return to the gayer part of town.

"But I forgot, Billy; let's see what Texan Joe has to say to the Sheriff; let's have his note." He opened the epistle and read, "Dear Sherf, if you ever want to git rid of your fat jailer, I'd like the job; jest write to El Paso, and I'll come right up. Your friend, Texan Joe." "There, Billy, look out for your job. If I report what happened to-night, Mr. Miller might send for Joe."

Herman, upon witnessing this scene, understood better than before the secret of the power of characters like Howells' to awe and subdue men. There seemed to be, when aroused to action, something akin to a lightning flash in his eye and a command in his voice that compelled obedience; and a magnetic force in his movements that overpowered all opposition, a force and fire that consumed fear and made danger an unknown quantity. It was strange to him that this force should accompany the acute

perception, shrewdness and tact, the qualities of a talented detective. When the two reached the St. Louis, Brooks and Espinosa were seated at the end of the porch, out of hearing of the hotel loungers, engaged in conversation. Howells strode up to them, and addressing Brooks, said:

"Mr. Brooks, you have in your employ an unsavory fellow who goes by the name of Texan Joe. I wish to advise you to ship this party back to where he came from, if you care to avoid being called into court to account for his presence here. He was to-night party to an attempt to rescue a stage-robber, who is detained in the jail as my prisoner, and if he is not deported I shall have him arrested."

"No such man is in my employ," said Brooks coldly, "I am in no ways accountable for his character or conduct."

"You may have discharged him, but he was brought here by you. But this is neither here nor there, I simply give the hint; you can pay attention to it or not, as you please. Come, Mr. Thomas, we will walk over to the American Hotel and see what there is of excitement there."

When they entered the bar-room, the first person they encountered was Buckley, who had just come from a card room, and stood with his cane under his arm, and a cigar in his mouth, watching a game of billiards. Howells took him to one side, at the same time motioning to Herman to draw near. Then looking him in the eye, with a glance that seemed to transfix him, said, "A d—d slick job was it? So you told your partner Texan Joe after you had smuggled that bar in to my prisoner. Now it wasn't so slick as you thought, Mr. Buckley."

Buckley took his cigar from his mouth, emitted some artistically formed rings of smoke, and cooly returning the detective's glance, said:

"I guess you have struck the wrong man, Mr.,—I have forgotten your name,—or else you have mixed your drinks more than's good for your senses. I don't know what you're trying to get at."

"Now, Buckley, you ought to understand by this time that when you trifle with me, you're playing with powder. If you don't know it, let me tell you that you are now at

large by sufferance, and if I wanted to I could clap the bracelets on you right here and ship you to San Francisco, to clear your skirts, if you can, of being one of the gang that fleeced the miners at the What Cheer House; and the next piece of rascality I catch you in, I'll do it. I have positive proof that you and Texan Joe put up the job to-night to release Jim Josleyn, the stage robber, and passed to him an iron bar to dig himself out with. Both Mr. Thomas and I saw you and Joe and identified you as you came from the jail, and you needn't attempt any bluff on me. Since your game was a dead failure, I have concluded to let you off for the present; but the next time you cross my path, you will have the chance of exercising your talents in escaping a trip north with the darbies on."

Buckley shrugged his shoulders, shot a glance at Herman, the malice in which was devilish, and without a word, sauntered over to the bar.

Having thus relieved himself of his ire, Mr. Howells suggested that they turn in, which was an agreeable proposal to Herman; so they returned to the hotel and separated for the night.

## CHAPTER XXXVII

### THE GYPSY AND THE CUTTHROAT

THE Republican rally was a success, if the presence of numbers and the appreciation of the audience betokened anything. Herman's speech was well received, and he was complimented by his friends on its logic and force as well as its diction; but he himself was not satisfied, and he retired that night discouraged and disheartened, depressed with the thought that invariably came to him after any exciting effort, that he could do nothing perfectly; that it was not possible for him ever to rise above mediocrity. He felt that the applause to his speech was a tribute to its excellence as an academic production; it was not the burst of enthusiasm that comes when souls are moved and swayed by the eloquence which magnetizes minds and hearts. He made up his mind that he would never again construct and memorize an address; but would study and elaborate his subject in his thoughts and trust to his finding language in which to give them expression in manner to suit the occasion and the humor of his hearers. It was not until many years afterwards that he learned that all oratorical efforts of those of his serious and poetic nature must be meteors of the hour; if affording pleasure, accomplishing no results, and forgotten on the morrow, unless the critical occasion has arisen which awakens and sets free the inspired feelings and convictions of their souls, for the accomplishment of a noble purpose, when their fervent words will bear the magic power to convert and arouse to action, and may become living oracles and enduring precepts. It was later in life that the true interpretation came to him of an object lesson he had received, and which made a deep impression upon him as a young man. He had the great privilege of being present at the dedication of the soldiers' monument at Gettysburg, and

heard the two addresses of the day: one the polished, scholarly oration of the orator laureate of the country, the other, the unstudied, spontaneous outburst from a noble soul standing in the shadow of martyrdom. In the grand and prophetic words of Lincoln, which will live with the nation's life, the brilliant metaphors and ornate similes of Everett faded into insignificance and soon into oblivion. The scene came before Herman, as he thought of his own intellectual feebleness, and he felt that martyrdom was not too heavy a price to pay for greatness like Lincoln's. He recalled his grotesque appearance, as he rode about among the people, his long legs dangling on the sides of a horse much too small for him, and his silk hat hung upon the back of his head; and then how all his ungainliness seemed to vanish, as his inspired words broke forth and held entranced the listening throng. He thought too, while in this vein of self disparagement, with his excelsior longings of the brilliant refugee Carl Schurz, who in the campaign of 1864, by his inspired eloquence, which he had listened to and seen the result of, turned whole communities of life-long Democrats to the comprehension and support of Lincoln. He did not realize then that it was the occasion when God, at the supreme moment, was shaping for greatness the destiny of a nation, that kindled the fire in his speech. History has told that, the occasion past, his words lost their fervor, and few to-day recall the part he played as orator in his adopted country's great struggle; and when forty years later his earthly career closed, the press of the nation, in paying tribute to his memory, lost sight of the crusader who preached the greatness of the Union's savior. Yes, it was not until years after our day dreamer fell asleep that night, years of struggle and failures, that he felt the keen pleasure of triumphs whose rewards were benefactions to his fellows, and the happy consciousness of the power to shape the conduct of others to noble action. It was only after he had become resigned to faithful performance of the duties of his profession, untempted by and without thought of self aggrandizement, and when he had become part of his daily prayers the invocation, "God grant that these noble thoughts, these longings and aspirations Thou hast placed

in my heart be satisfied and realized in Thy service, if not in great things before the world, in the humble performance of my duty to Thee, conscious of Thy approbation, with Thy love and the glimpses of Heaven Thou sendest me."

At early morning on a crisp Autumn day Herman with Mr. Roncador and an old Irish American, Capt. Scanlon, who had commanded a company of New York Bowery boys in the Stevenson Regiment in the Mexican war, started off for the canvass of the lower part of the county. Their vehicle was a staunchly built spring wagon, drawn by a pair of stout gray horses, the property of Mr. Roncador, and was equipped with blankets, a lunch basket, filled with substantials, and the owner's constant traveling companion, a two-gallon demijohn of whiskey, which he shared generously with his associates and guests, until a private gauge he had, marked the contents at the half-gallon point, when he became niggardly and parted reluctantly and peevishly with a few drops of the precious liquid, explaining that he was troubled with a colic which whiskey would alone relieve, and he did not dare risk being without the remedy. This malady, as his companions noticed, only attacked him at the half-gallon point. Mr. Roncador took great satisfaction in dispensing with all show of respect in talking to the Captain, and frequently addressed him as he would have one of his recruits; and the Captain in turn treated him with the contempt of a line officer to a swell-headed drill-sergeant, and in speaking to him, most frequently gave him such appellations as "Old Snorter," "Slimy old porpoise," "Old horse-fiddle," and the like. Herman, before he became accustomed to their peculiar exchange of civilities, expected to see a resort to blows by way of emphasis; but he learned in a little time that it was backed by no malignity; except once when the Captain had gotten out on the bank of a stream to uncheck the horses, the sergeant drove clear across and left him to find his way over, as best he might, on improvised steppingstones and with some wading, in which instance it required Herman's greatest talent as a peacemaker to prevent the Captain from leveling the practical joker to the bottom of the wagon with his own demijohn.

A meeting had been advertised for that night at the neighboring town of Mission de Santa Susana, which was the headquarters of Herman's friend, Robert McFarland, and of Bebeleche and a number of the compatriots of Bebeleche and Don Victor Ustasaustagui. There were also several well-to-do Italians; some the owners of a large and fertile rancho, and others engaged in traffic, who resided and had their place of business there. All these were supporters of Herman, and welcomed him cordially. The hotel was located opposite the Mission Church, in the center of the business part of the village, and was run to suit the taste of all races. A versatile cook, half Italian, half Portuguese, could produce from the same frying pan, gridiron and saucepan *carne con chile*, a *filet aux champignons*, or ham and eggs. When the delegation arrived and Mr. Roncador drew up in front of the hostelry, he had to circle a huge pyre of store boxes and barrels in process of erection, to be touched off when the shades of night had fallen and the signal given by a loaded anvil nearby. This work was being presided over by one Dick Hedrington, a muscular, long-legged blacksmith, with a deep, complaining, hesitating voice, which at times developed into a roar, an ex-soldier in the Civil War. A considerable portion of his skull had been kicked off by a vicious horse and replaced with a silver plate (the only precious metal he ever had about him that did not eventually find its way into some bar till), and to the temperature and expansion and contraction of which, he attributed all the objectionable eccentricities he displayed after he had passed the danger line in his positions. When called to task for abusive language, he would say "the plate got to pulling backwards and forwards on the strings of my tongue, and it went off on its own hook, and I couldn't stop it;" and when he cracked some friend's head who was trying to get him home, he protested that he had no intention of laying his hands on anything of flesh and blood, and declared that his infernal plate had got so hot that he thought he had on the anvil a horseshoe fresh from the forge, and started in to hammer it. As soon as he spied Herman, who had once defended him for an assault caused by the expansion of his silver plate, he straggled over to him and grabbed

his hand in his huge paw (Herman, used to the vice-like grip, having clenched his fist), and announced to the bevy of voters on the hotel veranda that that young man was his friend, and should have every one of the large number of votes he controlled; that he was the smartest law-sharp that had ever tramped into the Cow Counties.

After shaking hands with his friends and being introduced by them to others, Herman, according to prevailing custom, obligatory on all candidates, invited everybody to join him at the bar. When he and his guests entered the bar-room, in one corner,— beside a card table, on which squatted a monkey in a red coat and cap, scratching his face with his hind legs,— two men were standing. One who was holding the monkey by a string, was a gypsy; the other, a tall, thin Frenchman, with moustache and imperial, neatly dressed, and bearing the air of an aristocrat. Herman immediately recognized the Frenchman as a fellow traveler on the stage that two years before had brought him to St. Agnes; a Monsieur Courville. On the trip he had been quite communicative and told Herman that he had sold out his patrimony in France some years before, and invested in land and flocks in Southern California, which had proven very profitable. Monsieur Courville at the moment was not the quiet, polite gentleman that talked French to him on the stage; but was in a state of frenzied excitement, stamping his feet, gesticulating wildly, thrusting his finger, as if it were a poignard at the gypsy, and pouring a flood of denunciatory, broken English at him.

"You insult me," he cried, "you, you vagabond; you *chien de bohemien, bête de cochon;* I will teach you to offaire your *cinge* to me. I have great mind to shoot you here, now, at dis moment. I vill do so unless you tell me immediatement who tell you to make me dis offaire."

The gypsy put his hand under his coat and replied in a surly tone:

"Look here, Mr. Parley-vous, don't let that finger get too close to me face or I'll cut your heart out. Nobody told me to offer you the monkey. An Italian organ-grinder who died in my camp left it to me, and I came in town to sell it. You are a Frenchman and looked like a

man that would like a pet monkey. I didn't know you were off in the upper story on the question of monkeys, so I asked you if you wanted to buy it."

"Holloa, Monsieur Courville; why so *caliente*?" called out Bebeleche who had come in with the crowd. "Don't you know it's bad luck to fight with a gypsy? Come up; Mr. Thomas here asks you with my other friends to take a drink."

The Frenchman had wheeled around and seeing who was present, concealed his indignation in an assumption of pleasantry and coming forward, said:

"Ah, *mon cher* Bebeleche, it vas only a lettle let off steam, as ze Americans say. I have been so vera *ennuie*, so very quiet; one month entire on ze ranch, my health need zat I make one grand explosion. I find ze gypsy and I make ze explosion. Ah, is it possible? *Mon cher* Mistaire Thomas; charmed to meet you again. You are now one native of our Southland, no?"

While Monsieur Courville was chatting with Herman, having his back turned to the gypsy, Bebeleche slipped over to the latter, handed him a dollar and whispered to him in Basque to go off, and that he would meet him at his camp the next day to look at some horses. The gypsy took the hint, and glided out unnoticed. Bebeleche, when the two were alone, explained to Herman that Monsieur Courville had made his advent in St. Agnes with a hand-organ and monkey, and that he was now, in his present social and financial condition, naturally very sensitive on the subject; that one of his enemies, an old Californian who accused him of having robbed him of a piece of property, had bought the hand-organ which he called Señor Courville's cradle, and exhibited it, whenever he was in town, as the origin of the Frenchman's fortune. Courville probably thought that this enemy had prompted the gypsy to offer him the monkey.

The speakers of the meeting met with a noisier demonstration than at the one in St. Agnes; there was more alcohol back of the enthusiasm of the crowd, which was made up to a great extent from cattle and sheep men, rancheros, vaqueros and sheep shearers; and a large delegation of natives from St. Agnes, who had come into town

for a double purpose: to attend the meeting and to get comfortably gorged and socially drunk. They listened attentively to Herman's speech, both those that understood English and those that did not; the latter following the cues of the former, joining vigorously in the applause. Mr. Roncador thundered at the natives in pigeon Spanish, who responded in compliments to his personal appearance and the capacity of his lungs, in cries such as: "*Esta bueno bramador; viva pescado grande; mira, el toro gordo.*"

After the meeting, the candidates, nearly all of whom were in attendance, in accordance with campaign exaction from which there was no escape, repaired to the Parian, or Spanish road-house, the resort of the populace when in a jovial mood, which was at all times when there was anyone sufficiently opulent to pay for the inspiration. It was an adobe house, and a small vineyard and a few olive, fig and orange trees, located on the bank of the river, in a little forest of willows. There was a large grapevine, not as grand a one as Ruheplatz boasted of, but its branches sufficiently outspread and wide-reaching to roof over a fair sized dance floor, about which were rough benches, where were seated what looked like bronze statues of lightly-clad, dusky-visaged, stove-black-haired women, with their hands in their laps, each ready to accept an offer from anyone, from sheep herder to candidate, of a waltz or a drink or a tamale or a stroll among the willows. The liquid refreshments consisted of aguardiente, fiery enough for any throat; red and white wine, that possessed much the fervor and some of the bouquet of the grape brandy; and a brand of whiskey especially compounded for sheep-herders, who alone seemed to have pluck enough to attack it. The substantials were represented by tortillos, tamales, made of odds and ends from the butcher shop; olives, chilis and sweets; all, even the pumpkin preserves, redolent of garlic. The orchestra, consisting of a fierce looking, bewhiskered first violin and an immovable-visaged second violin, whose duty was simply to scrape chords; a lame little piccolo, who scattered a shower of staccato notes around every punctuating period of the refrain; and a couple of strenuous guitars, one a grizzled old veteran with bristling hair and bushy eyebrows, and

the other a young gallant with languishing eyes, oily locks and waxed moustache, whose eyes rested oft and anon upon one of the dusky lay-figures, who would now and then look up and glance at him, squeeze her own hands, giggle and relapse into stolidity. There was not an unpleasant rhythmical harmony in their playing of the few old pieces they knew, and as long as they confined themselves to their instruments, the ear was not badly racked; but when they were requested to display their vocal talents in unison with those of the dusky maidens, and when from their combined nasal organs broke forth, as if strained through a colander, a stream of strident sound, like the incantation of a band of voodoos, those who had an appreciation for the concord of sweet sounds felt like clapping their hands to their ears and diving into the river.

The maidens that night were few enough for the native cavalleros, and the candidates were not prejudiced in the eyes of the populace by not taking a hot turn on the rough boards in the garlic-laden atmosphere of the pavilion. Indeed, the class of the fair sex that graced the Parian looked at the gringo as an incomprehensible sort of animal of which they were half afraid and which had the effect of partially paralyzing them. All they cared for was the gifts they bore. As long as they spent their money freely, they were happier to enjoy the benefits of it, without their company, in a romp with the males of their own kind; and it was astonishing what hilarious hoydens these mute images, that at first skirted the dance floor, became when in a wild dance with tempestuous *paisanos*, when the candidates had let loose the electric current. As on all special occasions at the Parian, between waltzes, an old man and woman in Mexican costume, appeared upon the platform, and in lifeless monotony, danced the *cachuca*. The native brandy and red wine seemed not to have given any vivacity to features or movement, but simply exuded through the pores of their skin and was mopped off with their red and yellow handkerchiefs. They were rewarded with a shower of half-dollars which they picked up with the same undemonstrative deliberation that characterized their dancing.

Herman was leaning against one of the posts propping

the vine, watching the dance; had tossed his half-dollar to the performers as they finished and was about to move off, when he was accosted by a Mexican, in dress and appearance a vaquero, and who introduced himself as Señor Vanegas. He stood where the light fell upon his face, and Herman thought it was as ugly a face as he had ever seen. He was smooth-shaven and had a low brow, treacherous eyes, sour set mouth, so set that it made impossible a softened expression or a smile, and drawn in on one side by a cicatrice that traversed one indigo-colored cheek from eye to chin. He was slender and wiry, and catlike in his movements.

"I would like to speak with the Señor a few little words, if he will walk to one side," he said. Herman accompanied him a little way into the willows, to where they could not be observed or heard, when the Mexican said:

"You are a candidate; you have a very hard fight; the *hombres del pais*, the natives, are poor, and they have much sympathy for the poor man that runs against you, and very many will vote for him, if they gain nothing themselves from the other side. But they will vote for you, if you help them with some money. I have more influence with them than any other man. Your friends, the Basques and Gachupinos and Mr. McFarland, are very good men; but they can only get votes from the natives that work for them, and a good many of these, if they are not watched, will go for the other man. If you will give me five hundred dollars, I will get you the solid vote of the Spanish-speaking people."

To this proposition Herman replied that he was not prepared to make an investment of that kind. Just then, looking up, he saw back of Vanegas some few yards, where the light from the pavilion made them recognizable, Bebeleche and the gypsy, who had raised the wrath of Monsieur Courville; the latter, seeing that he was observed by Herman, disappeared, and Bebeleche raised his hand and pointing to Vanegas, shook his head, and then also walked off. The warning was not necessary for Herman's protection; but it aroused his detective instinct, and he concluded to get what information he could from this political broker about himself and his fellows.

"You see," said Herman, "five hundred dollars is a large sum for one who really is not better off than his opponent, and it is more than I have."

"Señor has good friends who are rich and who will give it, if Señor requests it."

"Well, suppose they would advance it," continued Herman, "what assurance have I that you have such great influence and that you will distribute it so as to secure votes that otherwise would have gone against me, and that you will get enough votes to make my election sure? I never have met you before and do not know you."

"I can give you names of men who know me and send enough people to you to tell you what I can do at elections. If I get this five hundred dollars, I will work only for you and nobody else."

"You might now name some of your references and I could see and talk with them," replied Herman.

"Well, there is Manuel Espinosa, Mr. Brooks of San Francisco — who has El Roblar Viejo Rancho; Mr. Finland and Mr. Hill,— whose money I spend every election; Mr. Buckley, who is a great friend of mine and very smart and we work together; and Major Falcon. He knows me very well, and says that there is no man in the county can cut up a hog or a beef or prune grape vines better than I can, and he thinks I am just as good getting votes, for when he wants to elect a man or beat him, he hires me to help him. Do you know these men?"

"Yes, I know them, and I will speak to them and you can see me later," said Herman. "Do you work at any trade or business in St. Agnes?"

"I can do most anything anybody wants. I'm a good vaquero, as well as butcher and pruner, and I know every pass and trail in the county, and I can carry messages anywhere from one end to the other, quicker than anybody. So I just do whatever job there's the most money in."

"I see there's a gypsy camp here," said Herman, "are there any voters among them?"

The Mexican gave a quick, sharp look at Herman, and said, "Have you talked with any gypsies here? Do you know any of them?"

"Oh, no; I saw one in town this evening with a monkey, and supposed there was a camp."

"They have no votes," said Vanegas, "and you had better keep away from them. They will try bleed you, and if you do not give them anything, they will do you some harm."

"Well," said Herman, "come to my office in St. Agnes a week from to-day, and I will give you an answer."

They started back to the pavilion, the Mexican in front, who took from his pocket a tobacco pouch and prepared to roll a cigaritto. As he did so, his foot caught in the root of a vine and he was thrown forward, almost falling; and in the struggle to right himself, Herman saw something bright fall to the ground unnoticed by him. He picked it up and found that it was a butcher knife, the blade of which had been ground down until it was scarcely two-thirds its original length, pointed, and with an edge as keen as a razor. Herman was struck with a peculiarity about it, the purpose of which he surmised to be to attach the knife to some shield or wrist tether. Two pointed metal pins about half an inch long projected from the handle, one on either side of the blade, so as to give the top of the handle the appearance of a dagger's hilt. He handed it to Vanegas, who said it was a knife he had long used in his butcher work. Herman invited him to take some refreshments, and they then separated, the Mexican going off in the direction of the hotel, while Herman became the victim of a crowd of boisterous *paisanos*, who shouted his health and slapped him on the back and announced in thickened accents that he was *muy buen hombre, muy cavallero: "si señores*, veree good man; veree gentleman." Bebeleche finally came up and rescued him and they returned to the hotel together, taking a short cut, and coming out upon the street not very far from the hotel. There was a little row of Monterey cypress trees grown into a dense hedge that shielded them from view of those on the street just before their path joined it, and as they passed along this hedge they heard the voices of two men conversing while they walked slowly along the street. One was an American and the other, from his accent, a Mexican. Herman and his companion at once recognized the voices

of Buckley and Vanegas and halted until they had walked beyond the hedge and came in sight and had gone some distance ahead. As they passed by within hearing of those on the other side of the hedge, Buckley said:

"I tell you, the puppy will never pungle; you won't get any five hundred dollars or a tenth of it, or a cent, or else I don't know the fellow. Of course, there is no harm in trying. D—n him, I am as eager as you are to bury some of his coin with him; he hasn't much now, and if I could cinch him so as to take his last cent, it would be the happiest job I ever had a hand in, and I would spend my own coin to do it."

"I want his money," said Vanegas; "you seem to want his blood."

"You're right, and I'll get it some day. But about that other matter. I'll keep you posted and let you know when to strike; it may be a long game. You'll have to be like me, contented with short pickings till we are sure of our game, and then do the job and get out of the one-horse country."

When they had passed out of hearing, Bebeleche told Herman that the gypsy, who was the captain of the band, and really a good fellow, had taken a liking to him and had warned him against Vanegas, as a desperate cut-throat; that he had met him in Mexico, and had personal knowledge of a foul deed that he had committed; and this is all he would say about it:"

"'Our race,' he said, 'never tell tales; we see everything and disclose nothing. If anyone wrongs us, we punish him without the help of the courts. This Mexican knows that I know what he has done, and the only reason he doesn't try to make away with me, or run away from me, is that he knows our creed.'"

"Well, they are a precious pair of scoundrels," said Herman, "and I fear that they have some devilish plot on hand. Buckley has certainly taken a bitter dislike to me, and it has not been mitigated by my being witness to his participation in an attempted jail delivery at St. Agnes."

## CHAPTER XXXVIII

### THE WHITE BEAN

THE campaigners were to speak in the afternoon of the day following at a place called Pleasant Grove, a picnic ground in the stronghold of the squatters, where the members of the community gathered on Sundays to listen to preaching, with the interest and resultant profit they would to the cawing of crows; and occasionally on week days, to discuss such interesting topics as the lynching of a horse thief, or the doing up of a land owner. How they came across the word Pleasant and adopted it is a mystery.

The party stopped at the different ranch houses on their way and were everywhere well received by rancheros and land owners, whose houses were few and far between in the great valleys where cattle and sheep then roamed, their owners not yet awakened to the comprehension of the agricultural wealth that slumbered in the soil. Capt. Scanlan entertained Herman en route with stories of his adventures as a soldier in Mexico, which were received by Mr. Roncador with sundry disrespectful shrugs and gruff exclamations by which he expressed his want of faith in the absolute verity of the incidents and his contempt for their insignificance. One, in particular, told with a grim humor, it is supposed not exactly felt at the time of the event, interested and impressed Herman. The Captain with another officer and a small company of privates, fifteen in number, were captured by a superior force of Mexicans, while they were out foraging. The Mexican leader of the captors, was distinguished, if I may use the term, as a successful exterminator of Indian outlaws, with a thirst for blood-letting, and without any knowledge of the ethics of civilized warfare or the distinction between a rebellious Indian and an American soldier. In fact, the blood of a gringo was the most attractive sight to him of any. He

was also possessed of the idea that, as part of his prerogative as guerrilla chieftain, he could try, condemn and execute, without the aid of a military court, and dispensing with ridiculous legal formalities. He lost no time in disposing of the cases of Capt. Scanlan and his fellow prisoners. He turned them into a room in a ranch house, which he had appropriated as his night's quarters, ordered them fed with rations of frijoles, and said that he would visit them after supper. His own supper, washed down with a generous quantity of wine, and the fact that he had made such a good haul, put him in the best of humors, and inclined him to show some little leniency to the prisoners. He sent his orderly to announce to them his coming, and quickly followed. Entering the room, he bowed profoundly and said:

"Gentlemen, it is with great regret that I find you in the position you are, having gone upon Mexican territory and without authority devastated the land and robbed the inhabitants of their property, thus incurring the penalty of death. It moves me, however, not to be too severe; so I will grant grace to one of your number. Here is a bag of beans, sixteen black ones and one white; you can draw, and whoever receives the white one I will see that he get within the American lines. The remainder of you, gentlemen, will be shot promptly at sunrise to-morrow morning. As some of you may desire the ministrations of a priest, I will send for one who is at headquarters of our division, a few miles distant." Then turning to the Indian who had been directed to wait upon the prisoners, he said:

"When you are through your work, go over to the General's headquarters and tell Father Tomas to come here some time to-night and confess some gentlemen who cannot live more than twelve hours. Now, gentlemen, I hope you will derive some entertainment in drawing for the white bean, and I will cause to be released from custody, the first thing in the morning, the one who has escaped the honor of meeting a soldier's death; and will send him where his safety is assured until we have shot and bayoneted him with all the foreign hordes he belongs to. I trust that you understand my words, or that you have one among you who can interpret them, as it would grieve me deeply

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if to-morrow morning should find you without having taken steps to reduce, by one, the number of the doomed. To meet a contingency of this kind, however, I have commanded the construction of coffins for the full number, seventeen." With this he bowed again and retired.

The Captain had not been long enough among the natives to comprehend the full purport of these remarks; but his lieutenant, whose mother was a Spaniard, and who understood the language, and spoke it perfectly, translated the address with the utmost nonchalance, in fact, embellishing it, to make it more harrowing. Capt. Scanlan said he had to admit that it caused an extremely uncomfortable feeling of distaste, at being shot down like a dog by a lot of savages, but his anger at the insolent outrage soon predominated, and he commenced cursing the murderous leader, and ended up with anathemas upon the whole black race, as he called them. The effect was different on different individuals. A few became serious and thoughtful, as if preparing themselves for death; some were perfectly stoical; others who were known as dashing soldiers became pallid and trembled; some joked rather unnaturally and laughed somewhat hysterically; one or two claimed that it was a bluff and that he would not dare shoot down American prisoners without some sort of trial and sentence. One suggested that they draw up a formal protest against this brutal violation of the laws of warfare, and threaten the vengeance of the United States army upon captives.

"Such a protest might be prepared," said the lieutenant, "but the matter would be considered and determined after we are rotting away in our coffins. I know this fellow by reputation, and his motto is to first bury the subject of controversy and then try him. You may make up your minds that unless there is a miraculous interposition of Providence, sixteen of us die at sunrise. I suggest we get over the lottery part of the business at once, and give one man a chance to start for home and livelier company."

He then took the shot-bag of beans and counted them out into a hat, finding that there were just seventeen with the white one. He returned them to the bag, tied it and shook it up and down, and in every direction and handed it to the Captain who went through the same proceeding,

and then turned it over to one of those who appeared to be most overcome with dread. He shook it nervously and threw it down on the table. He was a well built, muscular man, a good fighter, one who went into a fight as he would into a game of ball, without any comprehension of danger and any idea of being hurt, and this was really the first time he had ever consciously faced death, and the dread of it overpowered him.

"It is a dirty shame," he said, his voice trembling, "to be murdered this way, when a fellow's strong and well and ought to live forty or fifty years to come."

"What are you squealing about?" said one of his messmates, "why don't you take what comes? There's nobody depending on you; you have nobody but yourself, and it don't make much difference whether you die with your boots on or in your bed. I have a wife and young one, and God knows what'll become of em, but I take my medicine."

"You're right, Harry, and you are not the only one among us whose death will fall heavy on those who can ill afford to lose the little we can do for them. But proceed to business."

The lieutenant threw a blanket over the bag, and putting his hands under it, untied the strings, spreading open the mouth of the bag, and then withdrew his hands, saying, "Now, gentlemen, who will take first shot? There is no rank or precedence in a matter of this kind. Would you like to try your luck, Duncan?" turning to the terrorized soldier.

"Oh, no, not the first one. I wouldn't dare draw first."

In the meanwhile the Indian who had been ordered to summon the priest had finished his work and come up to the table, and was watching the proceedings. The lieutenant noticed him, and asked him in Spanish if he did not wish to try his luck. He deigned no reply to the invitation, but, shaking his head in the direction of Duncan, said, "Big coward."

"Is there no one here," asked the Captain, "who is willing to open the game? If not, I will start it." And putting his hand under the blanket he drew out a black bean.

"Well, that settles it with me," he said; "who is next?"

Four of apparently the least moved by the ordeal in succession advanced, and drew each a black bean, when there was a lull, no one for the moment offering to take his place at the life or death game. The lieutenant, after waiting a little while, to afford opportunity to any other to take precedence, put his hand under the blanket and drew out — the white bean. There was a dead silence as he held it up. Duncan staggered back, down upon a bench, and sat with his head in his hands. Then the Captain stepped forward and grasped the lieutenant's hand, as he said, "I am happy, my boy, you got it; no one has better deserved to escape than you, and no one is more greatly needed by our country."

Then the men, all except the wretched Duncan, came up and crowded about him and congratulated him. He seemed deeply moved, shook hands and thanked them. When they were done and stood about silent and the most reckless of them impressed with knowledge of their now certain fate, the lieutenant smiled, as he leaned against the table and played with the white bean, and presently said:

"And do you suppose that I could have the heart to forsake my comrades, and go back to my regiment, leaving them to die like men, and I not share their martyrdom; that I could dare to look a soldier in the face, escaping the sacrifice by a brutal chance, afforded by a cutthroat beast, to add a refinement of cruelty to his crime? If you believe it, you do not know what stuff I am made of." And he lifted the blanket, restored the white bean to the bag, shuffled its contents and called upon someone to proceed with the lottery. The men crowded about him and wrung his hand and called him noble and tears were seen in veterans' eyes. The Indian stood gazing at him in silence, as at some wonderful prodigy. Some little time passed before another tried his luck, and in the interval the lieutenant took the Indian to one side and said to him, "Will you do me a favor?"

"It would make me very happy to do anything for you; you are a very brave man," he replied.

"What kind of a man is Father Tomas?" the lieutenant continued. "Does he countenance the wholesale murder of prisoners of war?"

"No; he is a very good and kind-hearted man, and always tries to save the lives of those condemned," replied the Indian.

"Then I will ask you to go for him, as you were ordered, immediately, and hand him a note I shall write, and tell him that if he wishes to prevent a great crime, to read it at once and act upon it."

The lieutenant then hastily wrote upon some sheets of cigarette paper, and handed to the Indian the following note, written in Spanish, addressed to the priest:

"Reverend dear Sir: Invoking your aid as a Christian and God's minister, I beg of you, in the interest of humanity, to immediately present the following statement to the general in command of the Mexican troops: The writer, the son of Dna. Ysabel ——, Daughter of Dn. Oswaldo ——ñi, of the Spanish legation in Mexico, an American officer, with a fellow officer, standing high in the service, and fifteen soldiers, have been captured by Captain Soto of the Mexican cavalry, who has ordered that they be shot to-morrow morning at sunrise, without trial, in brutal violation of the laws of civilized warfare. If this order be carried out, a lasting slur will be cast upon the Mexican arms, and certain vengeance will follow from the American army, in the execution, in retalliation, of Mexican officers held prisoners by the United States."

The Indian took the note, concealed it in his neckerchief, and signaled to the sentry outside, who unlocked the door and let him out. The lieutenant then returned to the table. The drawing had begun again; one had just drawn a black bean, and another had taken his place. The luck of this one was no better. Duncan here arose and staggered to the table, having at last mustered up courage sufficient for the ordeal, and thrust his hand under the blanket and withdrew it with a bean squeezed tightly between his fingers. At first he dared not look at it, then he let it drop on the table — it was the white one.

"Saved," he cried, "saved, boys," and his face, which had been the picture of abject wretchedness, was lit up with pleasure; "here, shake," and he held out his hand to the man next him, who looked at him with a scowl, and spat on it. There arose a low, ugly murmur from the men, and

someone called out "lynch him." The poor creature again turned livid with fear, and sprang towards the door, but an Irishman of giant frame dealt him a powerful blow in the face that felled him to the floor, and planted his foot on his throat, where he lay, his face bleeding, crying for mercy.

"Shame on you, men," cried the Captain. "Can't you see that the hand of Providence is in this. Suppose this poltroon had not drawn the lucky bean, our company would have been eternally disgraced. He would have been dragged to execution, a begging, crying, pitiful object of cowardice, in the uniform of an American soldier. Let him alone, his punishment will be a hundred times worse than our ordeal, and the time will come when he would give his life to blot out to-night's good luck. It is not for us now to vent our fury on another, but to prepare our minds to meet like men a soldier's end."

He then knocked on the door and called the sentry, and told him that he delivered to him the wretched object of his captain's grace, at the same time thrusting Duncan, who had been permitted to arise, out the door, and closing it upon him.

"Now, my men," said the Captain, returning to the table, "come forward and we will have a council of war. Drop your voices, for walls have ears. The first thing naturally to be considered is the possibility of escape. "John," addressing a sergeant, one of those who had not betrayed any emotion since the capture, "have you sized up the surroundings, and is there any rat-hole we can crawl through?"

"Divil a bit of a rat-hole in thim doby walls, Captain, and if we had wings like the American aigle they wud put a ball through us before we cud start thim to wurruck. It'll be moonloight all night, and there isn't a tree or a cover of any kind widin a hundred yards of the house, and the ould murderin ape of a commandante has half of his command on sentry duty, and I meself heard him give orders to shoot down any man that sticks his nose out of this apartment. It wud do no good to garrote the peeler at the dure, for ye'd have a swarm of the black divils on ye the minute he disappeared. I niver in me loife was so

complately surrounded as we are this present toime."

"Well, boys," said the Captain, "it looks as though we must be ready for the worst. Those who have any trinkets they wish to leave or messages to send, had better prepare them before the priest comes. I am sure that he will see that they are sent to where they were to go. Lieutenant, I will ask you to prepare a formal protest and threat of retaliation to present to the savage Soto in the morning, who will surely be on hand to enjoy the spectacle. It is like offering a tract to a ravenous tiger, but it will do no harm to make the threat."

The lieutenant proceeded immediately to work upon his task, and the men scattered about the room. Some few wrote a line to those they wished to bid a last farewell to; some strode nervously up and down; some sat moodily and others spread their blankets on the floor, laid down and were soon asleep. It was long after midnight when the priest came. He was a gentle, spiritual, old man, with a winning manner, and a sad face. The lieutenant and one of the men, with a couple of blankets, constructed a confessional in the corner of the room. When completed, as the priest was putting on his stole, the officer asked him if he had received his note.

"Yes, señor, and I delivered it to the general, who read it and said he had no reply, and ushered me out without permitting me to say a word."

The lieutenant was the first to enter the confessional, and was followed in succession by two-thirds of the prisoners. After ministering to those of his church, the priest spoke to the others in gentle words, more touching in his broken English, and sought to comfort and console them, and he gladly undertook to carry out the last wishes of the prisoners. He then laid down on the floor with them, and rested till the day broke. A half-hour before sunrise the Indian brought in coffee. The men arose and breakfasted in silence. All seemed reconciled to their fate and showed no signs of trepidation. The moment the sun appeared above the horizon, a bugle was sounded, the door of the room was thrown open, an officer appeared and announced that the hour had come for carrying out the order of the captain, and directed the prisoners to file out. They

passed out, followed by the priest, and were lined up, with their hands tied, along the wall of the house. The firing squad stood a little to one side. Captain Soto then rode up in company with an aide on the general's staff, who, from the appearance of his horse, must have just arrived, after a hot ride.

"Gentlemen," said Capt. Soto, "have you anything to say before expiating your crime?"

The lieutenant stepped forward, and addressing the Mexican officers, said:

"Yes, I have a formal written protest to present, on behalf of my brother officer and our men, against this outrage, unparalleled in civilized warfare; but as if to purposely add insult and ignominy to the act of savagery, the hands of myself and Captain Scanlen have been tied, as though we were felons, preventing my presenting the paper."

"Untie the two officers," said Capt. Soto to his orderly.

When his hands were free the lieutenant read the protest which was as forcible as it was brief, and offered to hand it to the orderly.

"You can retain the document," said Captain Soto; "it cannot transform to a company of gallant soldiers captured on the battle-field, fighting nobly, a band of vagabond thieves." Then turning to his companion, he said, "Major, in obedience to the orders of the general, I turn over to you this band of chicken and cattle thieves. My men are ready to dispose of them here, if you give the command, and I so advise, as it will save trouble and expense."

"Thank you, Captain Soto," said the major, "but my orders are to have them immediately taken, under guard of a detachment furnished by you, to headquarters, where they will be disposed of in such a way that there will be no question as to formalities."

It was not long after this that the war closed, and the prisoners were released.

"Soto was a jackass," said Mr. Roncador, "he ought to have strung you up as soon as he caught you, and he would have saved his own country expense, and the American army wouldn't have lost anything."

"Did you ever see Duncan afterwards?" inquired Herman.

"Yes, once. When he was in the army, he was the same build and the exact image of Roncador here. You would have taken them for twins. The only difference in constitution was, that Roncador understood the danger of bullets and always kept out of a fight when he could, and ran away when he couldn't, while Duncan did not realize there was anything deadly about them until he knew he was to be killed with them. One day I was on Montgomery Street in San Francisco, when I was accosted by a tall man in a dirty, ragged uniform. He was lean and lank, and his face was haggard and yellow, with an expression of pain on it, and he had a poverty-stricken appearance about him that looked strange in San Francisco. 'Captain, don't you know me?' he said.

"I never would have known this frame-work of his former self had it not been for the voice which was unmistakably Duncan's.

"'Yes, I know you, Duncan,' I said, and he looked so pitiful, I put out my hand and said; 'How are you, man?'

"He took my hand and cried like a baby, and said:

"'I thank you, Captain, it is mighty good in you to shake hands with me. I am so miserable. Indeed, Captain, I am braver now than when we were condemned to be shot. I could walk up now and look into the muzzle of the executioner's gun without wincing. But it came upon me so suddenly then, the thought that in a few hours I, who was so young and full of life, should be dead — murdered in cold blood. I have not had a moment's peace since. I was an object of loathing to my comrades, and everybody wherever I go seems to look at me, as if they knew that I was a coward and shun me. Do you believe me, Captain?'

"'Yes, Duncan,' I said, 'I believe that you would act differently now. But if you want to redeem this act, and prove that you are brave at heart, you must hold up your head and look people squarely in the face, and thrash any man that hints you are a coward. Why I know men that are bigger cowards than you were, who are bullying their way through the world, creating the impression that they are afraid of nothing. Come with me.' And I took him

to a clothing store, bought him a suit of clothes, and handed him five dollars. 'Now,' said I, 'go take a bath and dress yourself, and go to work; and if you meet any of the boys, tell them that you have reformed, and if they want proof of it, to take off their coats and sail in.' The poor devil thanked me over and over again and said that I had made a man of him and that he would obey my orders. I have not seen him since, but believe that I will run across him some day, doing well."

At three o'clock in the afternoon, the hour appointed for the meeting, our party reached Pleasant Grove, which consisted of some straggling trees in the valley, near the river bank. There was no sign of preparation visible, and not a human being in sight. They drove all around the neighborhood, and could not find a single man to act as auditor; so they withheld their arguments and oratory in reserve for a more appreciative community, and traveled on up the valley, and turned into a wooded cañon where a friend, Mr. Tompkins, a sheep owner, had a camp, and where they expected to spend the night.

Mr. Tompkins was delighted to see them, saying that his mansion, which consisted of a tent, was so located off the usual routes of travel, that it was not often he had the opportunity of entertaining distinguished guests, and that their presence was a great treat.

"You know," said Mr. Tompkins, "that sheep herders, like cobblers, become sometimes very intellectual, and develop into philosophers, but their conversational powers are limited, and the sheep dogs are better company."

"Did you distribute the dodgers the committee sent you, publishing the meeting at Pleasant Grove?" said Roncador.

"Certainly, I gave them to the squatter preacher, who said he would see that they circulated."

"Well, we drove over to Pleasant Grove, and there was nobody in sight."

"You don't say you drove way over to Pleasant Grove," exclaimed Mr. Tompkins. "Why it's five miles out of your way to camp here."

"We had to be at the meeting, hadn't we?" said Roncador.

"Had to be at the meeting! Well, that's the best joke I've heard in the country;" and the sheep man went off into convulsions of laughter. "Why, man, you didn't think anybody would be there, did you — at a Republican meeting, to listen to union speaking? It's lucky for you that these relics of Price's army didn't go, and take some ropes with them, you might now be ornamenting the limbs of the trees of Pleasant Grove. They might have been tempted to take advantage of the chance to string up a bunch of Yankees, if they believed that there was to be a meeting; but I told the preacher, who has taken a fancy to me, that of course it was a joke. But you really thought you could hold a Republican meeting at Pleasant Grove?" and he went off into another fit.

After Mr. Roncador had permitted the demijohn to be passed around, and the horses were unhitched and some of the dust that had accumulated on the roads during the long summer season had been washed from their hands and faces, the men sat around on logs, watching a band of sheep being driven into camp, and admiring the work of a couple of thoroughbred collies. A fat wether was pointed out in the band for slaughter, and as he passed along, crowded among his fellows, a sheep herder leaped upon his back, caught him by the neck, separated him from the flock and led him off.

Presently the figure of a man was silhouetted against the sky, above the horizon beneath which the sun was just sinking. It advanced slowly and solemnly up to where the parties were gathered, and taking off its hat, said:

"Good evening, gentlemen. We have come, Mr. Tompkins, from our little home, as you requested, to meet your friends."

Mr. Tompkins introduced the new arrival to his visitors as the Reverend Josiah Jarves.

"This gentleman, Mr. Thomas," he said, "has kindly volunteered to shelter you for the night, as there is hardly room for us all here without discomfort to town-bred folks."

"It affords us great pleasure to meet you, gentlemen, and our lowly abode is at your service; but I fear our fare is somewhat scant for one who has journeyed far."

"Oh, I have a leg of mutton for you; it will help you out," said Mr. Tompkins.

"We thank you, Mr. Tompkins, it is very good of you. Your bounty has been very great to us, and we are reminded in you of the Patriarchs of old, and we pray for the blessings of Abraham, Isaac and Jacob on your flocks and on you and your seed for generations."

"Better confine your prayers, parson, to the increase of the sheep," replied Mr. Tompkins, "it's too late to find any generations for me. I'm over sixty, and have so far dodged the fruitful ewes of ranchos and rancherias of the Cow Counties, and have been long enough in the cattle and sheep business to know that it's better to be the last of a good pedigree than to keep it going with a mongrel mixture. Well, Mr. Thomas, I would advise you to start out with your pious host; it will soon be dark, and you have something of a walk; your friends will pick you up in the morning. Good luck to you. Parson, here's the leg of mutton, it's young and fat, and the only thing that will be against it, when you and your guest tackle it, is that it is a trifle fresh."

The preacher was a long, thin, pale-faced South-westerner, with lack-lustre blue eyes, straw-colored hair, and impoverished beard, straight and unbending as a ramrod, and slow and listless in his movements. In speaking of himself he always used the plural of the personal pronoun. His habitation, situated out in the plain, with not a tree or plant about it, was a one-roomed cabin, the walls made of saplings and roof thatched with brush. Inside there was a floor, made of rough boards, and two narrow wooden sleeping bunks, crudely built against the wall, a rough table and two wooden chairs. Herman was reminded of the mode of life of John the Baptist. All the preacher's provender, outside the recent gift from his friend, the sheep man, consisted of unleavened bread and wild honey, and these with some fried slices from the leg of mutton, made up the supper of the two and the breakfast next morning. After the primitive meal was disposed of, Herman produced a tile of cavendish tobacco, and cut off enough to keep the preacher's cob pipe and his own briar going during the evening, and handed the remainder of it

to his companion, to retain, saying that he had more in his bag. The preacher questioned Herman earnestly about himself, and particularly concerning his education, what schools and colleges he had attended and what books he had read and how his mind acted, whether it was always active and bright, or if it got tired and dull at times and so torpid that it would not act at all. He was eager about the success Herman had had in his studies, and then he drew a deep sigh and said:

"When we were a boy, we wanted very much to be a scholar, and we read every book we could find. There were not many books in our neighborhood, and the school was not very good; but we got along very well, and we felt happy, until we were about sixteen years old, when we were taken sick with a fever. We were not very strong when the fever came; you see we had not much to live on in the mountains where we were raised, and all of our folks were run down, and the fever seemed to feed on our brain; and when it went away, it left something the matter with our brain, and we could not study any more without getting a headache and growing very tired; and we could not remember things the way we used to, so we had to give it up, and we thought we would do what we could in the Lord's vineyard. It don't require any learning to be a minister with our little flock, and maybe they listen to us and understand us better than if we knew more. If our brain were all right, we could not get along as well with them; they would want us to be an avenger, and expect us to help in what they call getting even on people, and the sight of blood and the thought of killing people make us very sick and our brain worse. We fear we do not bring the men, only one or two now and then, near to the Lord; but the women folks, especially when they are sick, are glad to have us read the scriptures to them and tell them how good and kind the Lord is, and how He loves us all and comforts and consoles us."

"It seems to me," said Herman, "that we all want to do something different from what Providence has designed for us. If you had become a scholar, you might not have been able to do so much real good as you are doing now."

"It may be so, and we are resigned to what the Lord

does with us, though it was very hard to have to give up our studies. We would like very much to build a little church for our flock here, but the people of the valley are so poor that it will be very difficult."

This afforded Herman the opportunity of paying something for his board and lodging and contributing his mite towards helping the church project along, though he hoped that it might be appropriated to putting a little more color in the cheeks and flesh on the bones of the patient, simple-minded, devoted angel among devils. His donation was received with expressions of gratitude, and the pleasure of giving was keener with him from the conviction that it bore with it no political influence in that hostile community, which was verified when the returns came in, and showed that, out of thirty votes in the precinct, Herman received two, one that of the good parson, and the other cast by reason of mistaken identity, the voter thinking that the candidate was another of the name, a neighboring farmer.

When the time had come to retire, the host said to Herman:

"We are in the habit of having family worship before retiring; have you any objection?"

Of course, Herman replied in the negative, and the good man read a chapter from his bible; and they kneeled down, and he prayed for his friends and his flock and his enemies, and for blessings on the earth and its increase; and for the growth of God's kingdom and the spread of grace, very simply and sincerely; and closed with an invocation for Herman, asking that his campaign might end in success, and that he might be able to do much good in his office, and that, in his earthly campaigns, he would not forget the greater and nobler one of the Redeemer.

Herman saw nothing comical in his simple host and his speech and his odd ways; but what there was of quaintness in it all added pathos to the good man's lonely life and harsh surrounding, and his asking the divine blessing upon him touched him.

The cabin seemed to have about it the sacredness of a hermit's dwelling, until the next morning, when, his companions and Mr. Tompkins arrived, and Mr. Roncador, with his demijohn in hand — he was afraid to leave it alone

with the Captain and the sheep man — forced himself in. His ungainly proportions, brazen assurance and bellowing voice took away all the sentimental charm.

"We are accustomed to have family worship in the morning," said the preacher; "have you any objection, gentlemen?"

The Captain and Mr. Tompkins remained outside, but Herman and Mr. Roncador signified their acquiescence, and the latter kneeled down, awkwardly bracing himself over a pile of candle boxes, clutching his demijohn tightly. Just as the preacher had concluded and said amen, and Mr. Roncador attempted to regain his upright position, the candle boxes spread out, collapsed and precipitated him to the floor. His demijohn escaped his grasp, the cork flew out and a great proportion of its contents escaped, an involuntary libation on his part. With a desperate struggle, with a series of growls, sounding wonderfully like smothered profanity, it was rescued by its owner. The incident was witnessed by the outsiders and the Captain said to the preacher, "I should have warned you against letting that wicked old pagan take part in any pious services. Whenever his foot touches holy ground there is always an infernal explosion."

The ex-sergeant, without making reply, recorked his demijohn, climbed into the wagon and started off, leaving the Captain and Herman to scramble in over the tail board while under way. They canvassed back through the county, by another route, and from thence on the Captain had to find another fountain at which to quench his thirst than the sergeant's demijohn.

## CHAPTER XXXIX

### THE ELECTION RETURNS

It was not until the second day after election, when the returns had come in from the remote precincts beyond the mountains, that the result of the vote for district attorney was definitely known. Herman was defeated by three votes. He was beaten by the combination of up-county landowners with the squatters. The lower part of the county, including the town of Santa Susana, principally through the efforts of his staunch friends, Robert McFarland, the Basques, Italians and Gachupinos, with a large squatter vote to overcome, sent him across the river, towards St. Agnes, considerably in the lead of his opponent; and St. Agnes and the adjoining country, despite the disaffection of soured Republicans and the casting of the purchasable native vote by Buckley and Vanegas for his opponent, gave him a handsome majority. It was a gratification to him and his friends that he ran considerably ahead of his ticket, whatever consolation that may be to one who has suffered defeat. The Democratic candidates for the Senate and assembly were elected; the former by a very handsome majority, and the latter by one large enough to demonstrate that he would have won without the unhallowed alliance between landowners and squatters. Mr. Miller, the candidate for sheriff, ran considerably behind Herman, owing, in a great measure, to the race loyalty of the native Californians to his opponent, one of their people. Capt. Scanlan attributed the defeat of the Republican state ticket to the bullheadedness and stupidity of Roncador. He told Finland that, with all his political experience, cunning and unscrupulous methods in the interest of himself and the party, the State Central Committee would be justified in firing him, for letting the local organization be run by a braying, brainless, bullying old ass, who had been kicked out of the army as a nuisance.

The bolters and Buckley were jubilant over the defeat of Herman, though they awkwardly tried to conceal it, much more jubilant than his victorious opponent, who came to him in a quiet, manly way and told him that he appreciated and thanked him for the kind and courteous manner with which he had conducted his campaign, refraining from any attack upon or criticism of him, and he hoped that they would always be good friends. Herman was quite touched with his words and the sincere feeling he displayed in their expression, and they, though differing in personality in nearly every respect, were ever after good friends.

When the Board of Supervisors convened to canvass the returns it was found that the elections held at two of the squatter precincts were absolutely illegal and void, and needed only the motion of Herman to have the returns thrown out, which would have secured his election by a good majority. He was urged by a number to take this step, who claimed that he was clearly the choice of the people at any rate, as it was an open secret that votes were cast against him by several men who were not citizens or residents of the county. Finland said that the party demanded that the illegal returns be rejected, even if the votes were honestly cast by qualified electors; that the law, and not any squeamish idea of equity, controlled, when the law benefited the Republican party. Judge Freeman and Col. Morgan gave no advice; they said that it was a matter which should be left to the one to be benefited to decide in accordance with his own ideas of propriety; Judge Freeman, however, offering to act for him in demanding the rejection of the illegal returns. Herman in the hour he had within which to come to a decision, took a stroll to the beach, and fought out the battle alone. He was ambitious, and believed that he could make a reputation in the conduct of the office that would lead to higher distinction. He abhorred defeat and felt chagrined over it; he had been a prize winner in his student days. His being beaten was a source of exultation to his enemies which was hard for him to bear. His position would be an aid to him in securing justice in the important litigation connected with El Roblar Viejo Rancho. The salary of the office or an equivalent from some source was necessary to him; he had spent much more

money than he should; his practice was at the time not very remunerative; his cattle speculation was showing how much of truth there was in the doubts of the Highlander, the expenses being much heavier than he anticipated, and loss by accident and disease had occurred; and Cholo did not prove the satisfactory major-domo he was under the experienced eye and thrifty control of Bebeleche, and the price of beef cattle had materially depreciated. His debts had grown to be a mortification to him. He was convinced in his own mind that he was elected by the legal voters of the county; that he would be morally as well as legally justified in having the void returns thrown out. Then, there was, in addition to these urgent inducements pressing him to claim the prize he believed he had won, more subtly powerful than all the others, and sufficient in itself, without other reason and influences, to sway his decision, if there were not some loftier opposing force that demanded the sacrifice of self, the privilege of appearing as a victor before one whose words of congratulation would be sweeter to him than all else the honor could bring, and whose sympathy and appreciation would be an inspiration in the performance of his duty and a safeguard against swerving. When his reason had been convinced that he might justly claim the office bestowed upon him by his fellow citizens as his own, he thought of his opponent, his poverty, his large family; of how, taking it for granted that he himself was the victor, he had come to him, so ingenuously and considerately, with all the manliness and benignity of a nobleman; and could he take from him what perhaps he and his family were now thanking God for giving him; and could he extinguish the kindly feeling this simple, honest man had displayed and was cherishing in his heart towards him? Then again, in those particular precincts the votes of which would be nullified, if the returns be rejected because of the illegal conduct of the election, every vote cast may have been by a qualified elector, whose disfranchisement would hardly be compensated by the fact that illegal votes were cast by others for the one for whom they had voted. Lastly, he said to himself, would she not appreciate, noble and unselfish as she herself is, more than his triumph over his competitor,

an act of self-sacrifice on his part. The mental contest was over, he returned to where the votes were being canvassed, and announced to the Board that he had no objection to make to the returns, and would enter no contest. As he turned away, his successful competitor grasped his hand with both of his, and with tears in his eyes, said:

"I thank you, Thomas; you are a good, true man; and I knew you would do what you have done."

Hill here came lumbering up and said:

"Thomas, I want to shake hands with you. I guess you know I didn't do much for you in the campaign. I was sore at being beaten by a tenderfoot I thought was one of these eastern milksops; but if the campaign could be done over again, I would take off my coat and work for you; there isn't another cuss running for office in the county that would have been man enough to do what you have just done, and I am not too much of a coward to own up that I didn't know you and did you wrong."

Herman laughed and said that he did not see how he could have felt like working for him.

Sigismund and Finland, who were in attendance at the count, walked away together. Sigismund had a grave expression on his face rarely seen by the outside world. In a moment or two, Finland said:

"I told you he was fresh, but I had no idea that he was such a d—d fool."

"Finland," replied Sigismund, "do not deceive yourself; on the home stretch, when all your wires are rusted and snapped, and you are left behind on your own garbage pile of broken schemes and rotten jobs, he will be in the lead, with principle as a spur, fortified by a clean conscience, crowned with success, and happiness in his heart." And then he exclaimed to himself:

"Oh, if moral courage were only as easily invoked as physical bravery; if one could be as dauntless in resisting the assaults upon the nobility of his nature, as bold in facing a human foe!" Leaving Finland abruptly, he hurried on to his rooms, and a few minutes later, as Herman was passing by he was arrested and held spell-bound by the plaintive voice of his violin, in Rossini's divine "Cujus Animam," and he imagined he heard the angelic notes of

Mario throbbing heavenward. When the hymn died away in a sigh, and he walked dreamily along, he seemed more impressed than ever with the mystery that lurked in the life of this elf-like being.

All chagrin and soreness over his defeat disappeared from Herman's heart when he renounced all claim to the office, and he felt relieved and contented.

All Herman's friends felt very badly over his defeat. Baron Municheisen had taken it for granted that he would be elected, so many good friends he seemed to have. He had come to town with his wife to spend the night, and had brought his cello to have a little music at Col. Morgan's to celebrate the triumph.

They displayed more chagrin than did he over the result of the election, and the most of them, among them Martha, appreciated his act of self denial and told him that he stood higher, if it could be, in their estimation than if he had come victor from the contest.

## CHAPTER XL

### SAN FRANCISCO IN THE 'SIXTIES

THE Occidental Hotel was the most comfortable, the most home-like, the best kept hostelry in the San Francisco of the days of these chronicles, and in personnel the most select, from Monsieur André, the chef, the artist of the admirable cuisine, to Count Schmidt, the stately chief clerk, with his symmetrically trimmed favoris, his dazzling diamond shirt stud, his sidewise pose and deliberate hand-shake; and then quietly superintending the entire concern, his lank body moving slowly about, gliding in and out through crevices in doorways and narrow spaces between pieces of furniture, with his thoroughbred dogs and love of sport, the venerable McShane, who was more like the host in a private mansion than the manager of a popular hotel. There was an air of warmth and good fellowship, as well as respectability, throughout the establishment, that captivated the stranger and endeared it as a home to the permanent guest. The men had an affection for Mike, the sturdy and good-humored porter, and the women became attached to the honest, hard-working and merry-hearted chambermaids. It was the rendezvous of officers of the army and navy and coast survey, and all the distinguished visitors from foreign ports to the queen city of the Pacific found their way to its shelter. Everyone that came to San Francisco from abroad was taken to the Lick House dining room, as one of the sights, to admire its handsome wood-work; but the connoisseurs and *bon vivants* confined themselves to admiring its beauty, returning to dine at the Occidental. To perfect its table and minister to the palates of admirable judges of the fruit of wine-press and still, the wine cellar and the bar were unexcelled, and the choicest vintages came upon the table; and over the counter of the soberly kept bar, which was faced by a tempting free lunch table, were served by proper gentlemen of education,

who would converse with you on literary and scientific topics, the most skilfully compounded and delicately flavored beverages of modern art. The navy men felt peculiarly at home; for the decks of their ships were not more conscientiously holy-stoned than were scrubbed the floors and steps of the Occidental, and an early riser had to have his sea legs on of mornings in threading his way through the brigade of scrub-women. In those days the corner of Montgomery and Bush, where the hotel stood, was in the heart of the city, its shops and places of enjoyment and entertainment. A few doors below its portal, if you were fond of beautiful artisanship in silver and gold or had a fancy for rare gems, and a pocket book to gratify it, in Shreve's then unostentatious shop you could pick up things of beauty that often cast in the shade the creations of Tiffany; and in a narrow radius about it, if Bohemian in your tastes, were restaurants where you could regale yourself on dainties as perfectly cooked and as artistically served as in Paris or Rome. And if you wanted a laugh, certainly there were none better able to conjure the heartiest one than Billy Birch and Backus, on Bush Street, a few steps away; while to the lover of song there was close by nearly always a comic opera, sung with spirit and vivacity by good singers; and it was but a short stroll to the old California Theater, where, in those halcyon days, there was to be enjoyed by the playgoer a standard play by an excellent stock company. Wallack or Davenport, in his zenith, at the Chestnut, never had a better stock company than boasted the old California some few years later, when MacCullough, Barrett, Harry Edwards, Raymond, Mrs. Judah and kindred stars were familiar figures on the stage. Then, a block away was Pine Street, the Wall Street of the Pacific Coast, with its fevered crowd of jostling men and women, who, of all classes, races and nationalities, seemed to know each other and call each other by name or by some familiar expression or soubriquet. Above Montgomery was the entrance to the California Market, that great bazar of flesh and fowl and game, and fish and shell fish; and vegetables and luscious fruits, of mammoth proportions, and plants and flowers; and snug, if crude, breakfast and lunch stalls and

grills, where any choice morsel, the product of land or water, that addressed itself to one's appetite would be cooked to order, done to a turn, and served hot, with tempting relishes and any beverage one might think the appropriate accompaniment. Walking a block up Bush Street from The Occidental, you came to the great shopping street and evening promenade of the populace, Kearney Street, then what Market Street is to-day. As soon as the street lamps were lit and the stores lighted up, along this thoroughfare a dense throng of bright-faced, merry-hearted people, with look of health in their cheeks and strength and vigor in figure and movement, streamed up and down from California Street to Market, affording infinite interest and entertainment to the observer and student of human nature, in the conduct, speech, actions and antics of the people of diverse race and nationality, that slept in dwelling houses and had their home on the streets and in eating houses, and constituted the population of this fascinating cosmopolitan city. Here you would be sure to see, if you spent any time on the promenade, Emperor Norton, in his imperial costume, stepping out from some saloon with free lunch counter attachment, or posing on some corner, or striding in dignity along the street, every now and then greeted with mock veneration and an obeisance from some acquaintances. It may be, if you had an eye for celebrities, you would recognize in a tall, long-haired, self-conscious, unkempt creature, with a red necktie, Joaquin Miller, the poet of the Sierra; and, if in the company of a Bohemian, familiar with the city's odd geniuses, you would come across and be introduced to the old swashbuckler, Col. Cremony, in his military slouch hat and Spanish mantle, with his fierce look and Mephistophelian moustache and imperial; and have the distinction of asking him to take a drink, and hear him let off a volley of choice oaths and see him defy hell — and anybody that felt like doubting his prowess and taking a trip there — by slashing space with his bowie-knife, and sweeping the horizon with his revolver.

When you tired of the nomadic crowd on Kearney Street, you could stroll back to Montgomery, a few blocks below

the Occidental, into a small district that stretched to Sansome, where you would find centered the most of the newspaper offices and printing, publication and press rooms. In this neighborhood were little restaurants and chophouses, each noted for some peculiar culinary product, such as macaroni, ravioles, a rare fish or a choice chop, savory beyond the ordinary. Herman had a love for this quarter of Bohemia; it had a fascination for him, and he made nightly visits to city editors and reporters, hobnobbed with printers' devils and newsboys, poked his nose into composing rooms and watched the human-like laboring of the presses. Indeed, in all its aspects old San Francisco had a charm for Herman, wrought when he first passed through the Golden Gate, that never lost its gentle hold, and brought sadness to him long years afterwards when its old land-marks and monuments, the Occidental among them, crumbled to ashes. He found romance in its climbing streets, with their changing vistas of wilderness of structures; of mountain, landscape and ocean; the variety and quaintness and picturesqueness of its homes, palaces and humble cottages elbowing each other, standing like the *guyascucos* of John Phœnix that traveled the hill slopes, one leg shorter than the other; and in the people of all races and attire that went in and out them and played and sung and talked in their doorways and areas, and in the muscular, plump, rosy-cheeked women that won health and strength in the steep descent and ascent from dwelling house to shop; and in the promenades and drives inland and upon the bay shore; the Cliff House — with its surf-beaten rocks, alive and sonorous with their native race the sea-lions — and its jovial proprietor, Foster, prince of landlords and student of man and caterer to his bodily wants and comforts. But above all, what made so subtle the charm was the universal spirit of generosity and hospitality, the warm good-fellowship, that reached into the marts of trade, and kept for years outside its borders half-dimes and pennies and the Yankees that profited by their use. It was before mediocrity, fortified by wealth and manipulated through corruption, had usurped the throne of California, and in the bar and political circles there was the atmosphere of intellectuality, supreme

talent and brilliancy, enriched with the pioneer's wide experience and judgment of human nature, that gave dignity and character to social and political intercourse.

"Good morning, Mr. Thomas; I am glad to see you, Mr. Sigismund; and how is business in St. Agnes?" said Count Schmidt, who never forgot a name, a face or a man's calling, as Herman and Sigismund one morning registered their names at the Occidental. It was near noon when they handed Mike their valises and were assigned rooms by the Count. They should have been there the evening before, but their steamer was commanded by that cautious skipper, Capt. Johnson, who for many a year had smashed wharves, broken bowsprits and cursed crews trying to come to his moorings, in the steamship company's service on the California coast, and because of a mild fog, hanging over the portals of the Golden Gate at sundown, ignored the protestations of the irate passengers and treated them to another night and morning aboard.

Hardly had Mike deposited the luggage and vanished when Mr. Howells appeared.

"How are you, gentlemen? Excuse my abruptness and jumping right into business, but there is no time to lose. I expected you last night but I knew there was no depending on that old landlubber Johnson, so I arranged a meeting for you, Thomas, with my philanthropic friend, Michael Reese, at noon to-day, and we must keep it promptly, for he gets to his free lunch counter before half-past twelve. In the meanwhile Mr. Sigismund, hunt up your friend Espinosa, and make an appointment to meet him in Brooks' office to talk about ranch supplies or anything else you may suggest at two o'clock. Mr. Thomas will drop in at that hour to make Brooks a tender, and it is important that you be present and witness what takes place. Be on hand in any event, whether you see Espinosa or not. Join us at lunch at half-past twelve at Frank Garcia's; you know where it is, Montgomery below Merchant. And now, Mr. Thomas, we must be off. I will pick you up on the corner," and he disappeared as suddenly as he had appeared. Herman and Sigismund went down together, and going out of the hotel found him standing on the corner opposite. He informed Herman that he had made the

proposition to advance the money for Antonio Castaños, upon the terms he had suggested to Michael Reese, a well known character of San Francisco, a money loaner who had grown more wealthy than his fellow misers in other fields, as he hoarded dimes instead of pennies. Michael's office consisted of two small rooms in the second story of an old building, in which were a desk and a few chairs. He greeted Herman in a friendly way and seemed wonderfully affable and softspoken. He questioned him in an apparently indifferent manner about Antonio's case, drawing out, however, every little detail; then he said:

"Mr. Thomas, this is a big sum of money; do you feel sure of winning this case?"

"As sure as one can be of winning a lawsuit."

"You're right in saying that," he replied; "you may have law and justice and the facts on your side and yet a miserable jury of loafers rob you. Just think, Howells, of that lying woman getting five thousand dollars out of me. Breach of promise? Why I never make promises, you know, that are not down in black and white and witnessed."

"You got off easy, Michael," said Howells; "the jury might have used your rate of interest in making up the verdict and assessed you ten times as much."

"Well, you're a young man, Mr. Thomas," continued Michael, "and you are ambitious and I think will work very hard to win, and I like to see young men get ahead. I made John B. Felton. I gave him his first case and started him ahead. Do you know John B. Felton?"

"Yes, indeed," replied Herman, "we all know this brilliant and scholarly lawyer. Many regard him as the head of the California bar."

"Well, I made him. But he spends too much money. Oh, my God, how he throws money away. Young man, be saving, and some day the world will be coming to you for help, instead of you begging from others. I will let you have the money. Let me see your power of attorney and the note and obligation you have drawn."

After their inspection, which was satisfactory, and the note and obligation had been filled in and signed, he handed Herman a check, saying:

"I expect you to beat that scoundrel Brooks, and I lend this money more to have him beaten than to make the profit on it. He has robbed me and is scheming to rob me more, and it will do my heart good and make my fight easier if you can show him up as the unconscionable rascal he is."

From Michael's, Herman and Howells betook themselves to Frank Garcia's, the former greatly elated over procuring the money necessary to enable Antonio to make his attack upon Brooks.

"No wonder," said Howells, "Michael speaks feelingly of Felton's spendthrift habits, for he generally is called upon to replenish his exchequer when exhausted. Although he has more than once refused to pay Felton's fare on the street cars and would not lend him four bits to buy a lunch, he will honor his draft for several hundred dollars at a time, half crying as he pays it, and charging it up to him with interest, knowing at the same time that it is a piece of idle bookkeeping. Once only he called Felton's attention to the large sums he had advanced him, and was told in reply that it was all right, that he would give him credit for it on his account for professional services, and Michael concluded that it was the best policy to say nothing further."

Having entered the bar of Frank's popular cafe and restaurant, Howells said, "Mr. Thomas, permit me to introduce you to my friend, Frank Garcia, the best caterer in the city, who knows how to minister to the fastidious palates of the United States judges and the members of the Coast Survey, the post-master and all the epicures of the government buildings close by. Dr. Hammond, the Maryland *bon vivant*, says that he is the only man in the business that knows just how much longer a drake should be roasted than a duck, and if he would only take the trouble to learn to cook yellow legged chickens and white sop, it would be the best restaurant in the country."

Herman looked around, but did not see any party that seemed to respond to Howells' introduction, when, glancing downwards, his eyes rested on a great round head covered with a heavy fleece of white hair, with a broad, good-natured face, an expansive smile, and twinkling eyes,

nodding to him graciously, just above the counter, alongside the globe of goldfish.

"And here's another friend," said Howells, as Sigismund came in. "We three want a number one lunch; some terrapin cooked by your own hand, and a bottle of that wine of Portugal you brag so much of;" and he lead the way to the end of the bar and back of the long dining-room where the crowd congregated, into a clean, bright court yard with old-fashioned lattice work screens and lined with cosy booths where private parties could enjoy a delicious repast in happy seclusion. The big head mounted on a short, compact, perpendicular pedestal, that seemed to strain itself upwards to carry its great burden with dignity, appeared with a wasp-built waiter with lightning like movements, who, on a nod from the proprietor, in a flash whisked everything from the table in one of the booths, rolled the table cloth into a ball and shot it across the court into some hidden receptacle, whisked on a clean one, replaced the table furniture in a jiffy and dealt a hand of napkins as a juggler would a hand of cards, and stepped aside for the gentlemen to take their places; quickly reappearing with a bottle of Italian and one of French vermouth and a flagon of orange bitters and glasses for the appetizers. The terrapin took Herman back to a Philadelphia cellar he used to visit when his pocketbook justified, and had the flavor he thought only could be imparted by a Pennsylvania or Maryland darkey, and he asked Frank what gentleman of color he had learned the secret from. The colossal head simply smiled and made no reply.

During luncheon, Howells discussed with Herman the course to pursue with Brooks, and instructed Sigismund in the part he should play, telling him at the same time not to let a word or act of any party present escape him.

There was not much time to spare and they could not linger over the excellent meal, as Frank's skill deserved, and had to half enjoy their Havanas on the street. As they passed out the bar-room door, another figure glided out from the public dining room, shuffled rapidly by them, giving a quick glance from a pair of sharp eyes, which rested a few seconds upon Howell's face. Herman detected in the latter's countenance a faint expression of

recognition, but it was only instantaneous, and he made no return to the glance. Both Herman and Sigismund were struck with the grotesque figure. He was a man whose age it was difficult to tell. He was clad in a suit of seedy black, with long tailed coat, and short narrow trousers, that were drawn like tights over a pair of legs resembling the prongs of a wish-bone, and beneath them his great feet, shod with heavy soled, square-toed shoes, stuck out, surmounted by a pair of rusty gaiters. His coat curved over a back with a little hunch upon it. His head, with its luxuriant dark hair tinged with gray, rested at an angle on his shoulders, and his saffron colored face, with sharp nose and thin lips, displayed no particle of emotion. He was clown-like in his movements, gracefully ungainly, and cumbersomely agile, and, without any appearance of hurry, was in the center of the next block before our friends had reached the corner. When he was at a safe distance, Howells said:

"You will see that man again presently, and he will know you when you put in your appearance, even if his back is to you, and if he should meet you in ten years from now in a crowd on the Strand, he would recognize you. That is Brooks' present confidential clerk, the one who has stepped into Espinosa's shoes. Keep your eye on him, and you may be sure he has his on you, and no whisper escapes his ears."

On the corner of California Street, Sigismund parted with his companions, while they betook themselves to a bank, to procure the coin with which to make the tender, Howells having brought with him a satchel in which to conceal the bag of gold. The offices of Barter & Brooks were on the third story of a building on Montgomery Street, not far above the restaurant they had just left; but Frank's might have been located upon Nob Hill, so far as receiving any patronage of Brooks was concerned. He shunned it as he would a church; the atmosphere of the government building was not congenial to him, and he was aware that the judges of the United States courts and their attaches regarded him with suspicion and had cognizance of his methods which were not hallowed by the professional ethics that dignified the practice in the Federal courts.

After leaving the bank, there being yet a quarter of an hour remaining until the time fixed for the visit to the enemy, Howells asked Herman to go into the What Cheer House, the miners' popular resort. As they entered, Howells was greeted with a "Helloa, old sharp, how are you? I'm mighty glad to see you. Come up, you and your friend, and take something to warm you up;" and a stoutly built, red-faced party, with jollity oozing with the perspiration from all his pores, came forward from a group of miners, and grasped his hand, which he shook with genuine fervor.

"Boys, this is my friend Mr. Howells, the sharpest man in the country; he saved me once from a band of cutthroat thieves, and if you ever get into trouble, he's the man to send for. If there's a thief to be caught or a murderer to be trailed to his lair, there's not a man in the state can do the job better."

"This is my friend, Tom Edwards, Mr. Thomas," said the detective, "you might claim kinship, for he brags of his Welsh blood. Yes, Tom, I did get you out of a tight place once, but I am afraid it is only that you might get into a worse, for you are easy game for a card sharp or a bunco steerer."

"Oh, there's no danger, old man, I've reformed. I've sold out my mine, and have the coin snug in bank, and I'm dickering now for the purchase of a ranch in Southern California not far from Santa Susana, and when I get it I'll settle down where the highwaymen that trail a miner will not find me out."

"Why, you are going to the county of Mr. Thomas, and if you need a friend or a lawyer down there, call upon him and you won't make a mistake," said Howells.

"I don't know but what I will need either a lawyer or some sticks of giant powder to bring the old fellow to time that owns the ranch. I have got him to take something to bind the bargain, and in a week or so, I'll start down with the balance of the coin."

As soon as Edwards' invitation had been properly responded to, Herman excused himself, and started out on his important mission, leaving Howells with Edwards, having arranged to dine with him later and report. As he left,

Howells was giving his friend some sound advice. He cautioned him to be very prudent on his trip to Southern California, to tell no one that he intended leaving town, or if he should mention it, not to let it be known that he would carry any money with him, and to conceal the day he was to leave, and not to disclose in San Francisco or on the road his object in making the trip.

"You need not laugh," he said, "you know that I'm a man that has as great a contempt for foolish fears of danger as you, and you should therefore understand that I would not put you on your guard if I was not convinced that your safety depends upon your following my advice."

## CHAPTER XLI

### HERMAN MAKES A TENDER TO MR. BROOKS

THE offices of Barter & Brooks had no luxurious appointments, but were plain and unadorned, the walls dull-hued and time stained, with cracks (made by the great earthquake a couple of years back), the woodwork unvarnished; and they exhaled the conventional musty smell of the chambers of barristers and solicitors before the spirit of extravagant display had fastened upon the profession and turned legal dens into bankers' salons. They consisted of a suite of three rooms, each connecting with the corridor. The center one was the main office, occupied by the clerk, on the door of which was the legend, "Walk In," and the other two were the private offices of Mr. Barter and Mr. Brooks, the outer doors of which were kept bolted against intruders. In Mr. Barter's office hung the portrait of himself, a portly gentleman, with one hand thrust into the bosom of a Prince Albert coat, and holding tightly squeezed in the other a packet of legal papers. This was all that was seen of Mr. Barter in his San Francisco chambers, except for about a fortnight once a year when he came from his headquarters at Washington to square accounts with Brooks, which he found as difficult as squaring a circle, and plan further piratical ventures, inaugurated on the Pacific and consummated at the federal capital. It was, however, used by Mr. Brooks as a *sanctum sanctorum*, into which he with his latchkey entered from the corridor with his victim or his confederate, when there were matters to be discussed, papers signed or money to be paid, when even the privacy of his own private office was subject to doubt. In his own private room was his safe, the combination of which was known only to himself; and its contents, so many a lawyer and litigant thought, as they longed to crack it, would unravel more than one mystery, expose many a plot, and clear up not a few doubtful titles. It was

planted by the chimney in which was a stained and smoke-grimed open fire place where every evening Mr. Brooks himself burned the contents of his waste basket. Besides the office desk, there was a long table, covered with worn green baize, and a half-dozen of stiff wooden chairs, that were utilized for the meetings of boards of dummy directors and of conspirators in the promotion or conduct of some Brooks inspired scheme. A small, but well selected working library, lined the walls, and in one corner was a coffin-like chest, nearly filled with plats and drawings of various sizes and conditions. In the main office, in charge of the clerk, the walls were hung with maps and charts; in another corner stood an old cabinet of pigeon-holes and drawers where were stored the bulk of the records of a number of years' practice, such as were innocent and would bear inspection by an observer. A high writing table or desk was nailed along the wall by a window, with a tall stool, such as Charles Lamb scaled and sat upon in the India office, serving as a perch for Mr. Squiggler, sole scrivener and confidential clerk, the gentleman to whom Mr. Howells had called attention, in front of Frank's. There were also a few chairs and a deal table, upon which lay a Webster's dictionary, a directory, a pamphlet edition of the U. S. Land laws with departmental rulings, a *New York Tribune* and a *San Francisco Bulletin*, a leather inkstand and some quill pens.

Herman in obedience to the direction on the door walked into the main office without ceremony. The moment he entered he found the eye of Mr. Squiggler directed to him from his perch, where he sat doubled up over a piece of foolscap, with a quill pen poised like a lance over it.

"Is Mr. Brooks in?" asked Herman.

"He is," solemnly replied Mr. Squiggler, as he slid down to the floor not unlike the way the Majiltons would have descended a flight of steps without the aid of their feet or hands. "Your name, sir?"

"Mr. Thomas of St. Agnes."

Mr. Squiggler wrote the name on a scrap from the waste basket, gave a signal with his knuckles on the door of Mr. Brooks' room, opened it sufficiently to admit his narrow body, disappeared through the crack, and in

a few moments reappeared, and directed Mr. Thomas to enter. As he had anticipated, he found Sigismund and Espinosa closeted with Mr. Brooks. There was also present a stranger, an Englishman; an elderly gentleman with white hair and side whiskers, with a face almost as impassable as that of Brooks and sharp little eyes, fashionably dressed, who sat tapping the toes of his boots with a jewel mounted cane, and holding on his lap an immaculate silk hat.

"Good afternoon, Mr. Thomas," said Brooks with his gentlest voice and sweetest smile. "You find two of your acquaintances, St. Agnes gentlemen — as we might call Mr. Espinosa one of your citizens;— and this is Sir Roger Stanworth, a distinguished capitalist and promoter from London. Be seated. Sir Roger has taken an interest in our handsome estate, El Roblar Viejo, and you have called very opportunely, as your client, Dr. Vanderpool, owns a portion of the original grant, and while it is in no ways essential to the completeness of the company's holdings, it could be well included in a plan of promotion and sale and increase the acreage, which of course is a factor in handling land schemes of magnitude. Mr. Sigismund has given Sir Roger his ideas as to what elements of value the property possesses, from his observation as a disinterested party, and Mr. Espinosa, as an expert thoroughly familiar with the territory and its capacity of capabilities, has described it in detail, and if there are any peculiar features which would be of interest that your attention has been called to, possessed by the company's or the Doctor's holdings, I would be glad to have you point them out to Sir Roger."

Sigismund glancing at Herman, said:

"I have pointed out to these gentlemen what has attracted my attention in reference to these properties, regarding them from the standpoint of a practical engineer. The sources of water supply are abundant, and so located that by a proper system of cheap reservoirs and conduits, with an inexpensive plant, the water could be distributed over the entire property and its yield in profit, as an agricultural, fruit and fine stock grazing ranch, greatly increased; and if cut up into minor holdings would be a splendid speculation."

"Well," said Herman, "I am unable to add anything to what has doubtless been told by these gentlemen concerning El Roblar Viejo, which is generally recognized as one of the finest ranchos in the county, unless it is to refer to an element of value as yet little regarded in the buying and selling of lands, but which, if it is a substantial element, enhances the value of El Roblar Viejo proper and gives a peculiar value to Dr. Vanderpool's portion. I refer to the petroleum deposits it contains. The eastern companies who have experted the country for this product and acquired large tracts in the lower end of the county, are slowly exploiting the territory, at the same time selling off the agricultural lands, reserving the oil rights, but they have not made sufficient developments yet to prove it. Professor Silliman, however, has given his opinion that there are almost inexhaustible stores of oil in the territory acquired by these companies, and which are identical, in physical indications, with portions of El Roblar Viejo, and particularly with the Domingo Ortega tract. There are also on this tract and on portions of El Roblar Viejo proper, outcroppings of cinnabar that indicate valuable quicksilver mines which will, doubtless, soon be exploited."

This seemed to awaken interest in Sir Roger and he made some shrewd inquiries about the character and location of the deposits, the geological formation of the country where the outcroppings appeared, and the extent of the territory.

After a little more discussion, Herman, in an off-hand manner, said:

"I fear, Mr. Brooks, that I may be to a certain extent an intruder, and I will briefly state my errand. Antonio Castaños is indebted to you on his promissory note, secured by a pledge of his stock in El Roblar Viejo Company, and he has requested me to call upon you and pay the debt and redeem the stock. I have calculated the amount of interest, compounding it in accordance with the terms of the note: here is a statement; will you kindly verify it?"

"I am sincerely glad," said Mr. Brooks, softly smiling, "that Antonio has found means to rescue his stock, which has prospective value in it, though I loaned more upon it

than my means and its present value really justified." He here struck a bell upon his desk which sent forth a sharp ring, and Mr. Squiggler immediately appeared in the room.

"Squiggler," he said, "take this statement and see if it represents an accurate account of the principal and interest on the promissory note of Antonio Castaños; my safe is open, you will find it with the stock securing it on top of the papers in the upper right hand pigeonhole."

Mr. Squiggler looked at Mr. Brooks, stood on one foot and scratched his shin with his other heel, and said nothing.

"What is the matter? Don't you understand me?" said Brooks.

"Can't do it. Against office orders. Your instructions when I came here were to run my own office and keep my eyes off your desk, my hands off the safe and not to touch a paper, even if it were a scrap in your waste basket. I always follow programme while it lasts; I follow it when you are absent, and I shan't break it when you're present."

Brooks eyed him sharply, but his countenance gave no token of unexpressed meaning.

"A well trained clerk, gentlemen; if not a sympathetic retainer, an inflexible observer of the rules of his employment, which is the better after all, as he never presumes on his own judgment, and cannot be a meddler," remarked Brooks, and giving an almost imperceptible glance at Espinosa, which that gentleman nevertheless caught, he turned to the safe, took out the note and stock and handed the former to his clerk who disappeared with it to his perch, returning in five minutes pronouncing the calculation correct. Heman took the money from his valise, counted it out upon the table and received the note and stock.

"Now, Mr. Brooks," said Herman, handing him a paper, "Don Antonio claims that his interest in El Roblar Viejo Rancho was obtained from him improperly through false representations, and the paper I present to you is a recision, stating the grounds of the conveyance, and a demand upon El Roblar Viejo Company, of which you are president, to reconvey the property, and here is a deed of reconveyance to execute; and I hereby offer to return to

you the stock, the only thing given Don Antonio in consideration of the surrender of his interest to the company."

What seemed like a faint whistle apparently coming from the lips of Sir Roger, though they did not move, reached Herman's ear, as he finished, and the white hue on Brooks' face grew duller and the smile that ran up his face was sharper, and there was a cat-like movement about the way he clutched the paper Herman had handed him, as he glanced over its contents, and his voice was very soft, as he replied:

"Mr. Thomas, of course the company will not accept Antonio's stock; you can hand it to him with his note; the idea of reconveying the interest purchased from him for a valuable consideration is preposterous. I fear, Mr. Thomas, you have been misled. When you have been as long as I in this country you will know that it is almost the invariable custom among native Californians to try to get back their property after it has been in good faith purchased from them, under the claim of false representations made to them, or their want of knowledge of the English language. But we will speak of all this afterwards. Kindly have a talk with Dr. Vanderpool in reference to joining his tract with the company's property and selling them as a whole. Of course it must be for a reasonable price. Sir Roger hopes to accompany me to St. Agnes in a few days to view the properties. This foolish claim of Antonio can be settled between us readily when I come down, and need not be considered in taking steps towards the promotion of the sale."

As Herman bowed to Brooks and the others and started to go out, Sir Roger arose and said:

"Charmed to have met you, Mr. Thomas, and I will be pleased to renew our acquaintance at your home, which I am desirous of visiting, even if nothing come of our business projects. They tell me St. Agnes has no peer in loveliness."

As he passed through Mr. Squiggler's apartments, that gentleman coughed, and Herman turned and said good day. He was seated on his perch, facing him, and was holding out his quill to him.

"Thought you might want to cancel that note, and you

might want to write on it the exact amount you paid, and you might like to be sure that there is no difference between what you paid and my figures."

Herman thanked him for the suggestion and marked the note cancelled by payment to Mr. Brooks of the sum he had given him. Whereupon Mr. Squiggler nodded his head and remarked:

"You see when figures agree in the beginning they have to agree in the end, no matter what happens to them between times," and Mr. Squiggler wheeled around and began thrusting his quill at his sheet of foolscap.

Herman had left with Judge Freeman the complaint in the suit of Antonio Castaños against Brooks and El Roblar Viejo Company, with notice of pendency of action, to be filed immediately upon receiving notice of tender made, and his first act after leaving Brooks' office was to send him this notice. In about half an hour he and Sigismund met at the hotel, and the latter related what took place in the offices of Brooks after he had taken his departure.

"As soon as the door closed upon you," he said, "Brooks tossed your demand on his desk in a contemptuous manner, saying, 'These natives are natural blackmailers, and whenever they smell out an intended sale by the parties that have bought from them, they make a break at holding it up; but fortunately they are cheaply dealt with, and their levies are regarded as incidentals to a deal, like insurance premiums and taxes, that have to be cleared off before the deeds pass.' And he handed around a box of fine Havanas, the bouquet of which won the heart of the baronet, who, by the way, is no easy subject for Brooks to manipulate. They then arranged for a trip to St. Agnes in a week, and I agreed to accompany them over the rancho and let them profit, if they can, by my ideas as to water development and distribution. When the Englishman rose to go, Espinosa and I also prepared to take leave, when Brooks requested me to remain. After the others had disappeared, he took me into the office of his fat partner, and made apparent his spiteful wrath, as much as he ever displays his feelings. You hit him hard. It was a thunderbolt out of a clear sky. He evidently never dreamed of the pos-

sibility of Antonio redeeming his stock, much less of his claiming his interest back, and he realizes that he was a fool to turn him adrift before the property had been disposed of, and he will be now doubly afraid of Espinosa whom I will coach as to how to take advantage of the episode. He asked me if I knew you well, and if you were approachable. I said that I had always found you open to reason in all things. 'Well, he's an idiot anyhow,' he said, 'why did he not come to me privately and tell me what he was going to do, and we could have fixed it up, and there would have been no risk of endangering the carrying out of a deal that would have been a profit to all parties. I intended anyhow to do the generous thing with Antonio, and will agree to do so yet, if he relinquish his blackmail scheme. You might have a talk with Thomas, and try have the suicidal business dropped, and if you succeed, I will interest you in the scheme of promotion so as to have your services as a practical engineer recognized and you given a high salaried position in the new company. As for Thomas, you might let him know that if he gets Antonio to drop the matter, I will have him retained as the company's legal adviser. I am willing to donate to Antonio something, if he will surrender his stock and give a full release of all claims to the ranch. If it came to the worst, and the deal goes through, I might possibly go as high as the amount that I loaned on the stock, though it is an absolute gift, for his claim is too absurd for a court to entertain for an instant, and is at any rate barred by the Statute of Limitations.' I told him that I would see what I could do, and report when he came to St. Agnes; but I couldn't give him any great hope of bribing you, as you were one of these green fellows from an unprogressive part of the country and hadn't gotten used to western sharpness; that you had old fashioned ideas of loyalty and open dealing to a client. He said he deprecated my use of the word bribery; at the same time, as to whether or not those old fashioned ideas were allowed to control, he had found in his experience, was only a matter of the extent of the profit to the party by smothering them. So you have this offer, and you can meditate on it."

Herman smiled grimly, and said he hardly thought An-

tonio would be likely to consider the sale of his interest at that figure; and that he would find that he, Herman, would be stubborn enough to continue behind the times and stick to one party, and that, his client, and not prey on both sides.

At a quiet dinner in a snug little restaurant somewhere between Kearney and Dupont Streets, the afternoon's incidents were recounted and discussed with Howells, and his shrewd suggestions registered and later taken advantage of. He informed them that there was nothing further to do in San Francisco in reference to the campaign against Brooks, and as he was obliged to leave the city that evening on important business, he could not contribute to their entertainment further; but they would soon hear from him again.

The two friends that evening, feeling in the humor for a laugh, concluded to go to the minstrels. As they took their seats, another couple, a man and a woman, came in and occupied chairs directly in front of them. Herman at once recognized Howell's friend, Tom Edwards. His companion was a tall, striking looking woman, evidently of the fast set, one who would attract attention in a crowd. They had the appearance of having dined well; and Edwards, considerably the worse for his indulgence, dropping off in a doze and waking up to catch some piece of humor that awakened his risibilities, and indulging in a great explosion of mirth, afforded as much amusement to the audience as the jokes on the stage. The show afforded our friends even more enjoyment than they had anticipated, and they declared that never did minstrelsy produce a more talented pair than Birch and Backus. After it was over, both fond of prowling about the streets at night in the search of adventure, they took a stroll away from the popular promenades, in the hopes of finding some haunt or covert, the resort of characters that did not herd with the common crowd. Wandering down Market Street towards the ferry, seemingly out of place, in the midst of darkened warehouses, storerooms and artisans' shops, hung on an iron crane stretching out from an old-fashioned tavern front with a wide window, screened half way up, and a glass door, they came upon a rusty lantern emitting

a dull red light through broad panes on which were inscribed the words, "Free and Easy."

"Here, my hearty," said Herman, stopping as he distinguished the token, "here's our place. I have gotten more fun out of an English Free and Easy than any vaudeville or minstrel show I ever attended," and they opened the door and walked in. The room they entered was a snug little bar, with a grill at one end, a few shelves, adorned with fat bottles bearing different labels, Scotch whiskey, Irish whiskey, gin, brandy, and like British tipples, and on a wooden platform stood a row of ale and porter barrels, with a crop of barley growing on their heads, a sink and faucet and a pile of clean towels, and, on a bench above, an artistic array of mugs of pottery and pewter, and a great jar of long-stemmed clay pipes. A short, round-headed, bull-necked Englishman, with close cropped hair, in a plaid suit, welcomed them.

"Come in, gentlemen, your servant, gentlemen. Walk into the cosy; there are some choice spirits 'aving a good time and I knows you will enjoy their company. I am Timothy Tapley, or as my friends call me, 'Old Taps.'"

"I am Mr. Townsend and my friend here is Mr. Soirree," said Herman.

The door from the bar into the cosy was open, and in front of it, in the inside, was a tall screen, around which Old Taps conducted the new arrivals into a room of considerable size whose occupants and contents were at first hardly discernible, but gradually took shape out of the billows of smoke.

"Mr. Townsend and Mr. Soirree, gentlemen," said Old Taps.

There were eight or ten guests seated about adjoining convenient tables on which their tobies of ale and mugs of porter rested, with the basins of tobacco from which the long clay pipes were filled, to each of whom the landlord, who had a memory equal to Count Schmidt's introduced our friends. To their amused surprise, one of the first who was presented to them, under the name of Professor Spangler, was their recent acquaintance Squiggler, who sat on the back of a chair with his feet on the seat, clasping between them a concertina, with elbows akimbo

and hands planted on his knees, a Scotch cap on the side of his head and a clay pipe stretching out from one corner of his lips. There was a quizzical look in his sharp eyes as he nodded, though his features did not change expression. Just beyond the scrivener, reclining in an arm-chair, his legs stretched out their full length, his heels upon the floor, his hands in his trousers pocket, in full evening dress, with waistcoat unbuttoned, his silk hat on the back of his head, pipe in mouth, was the comfortable form of Sir Roger Stanworth in relaxation, who was introduced as Capt. Stanton.

"Delighted to see you, my dear boys," said he. "Charmed that you should be so British in your tastes and so wise in the search for refined social entertainment as to come to that temple of mirth and intellectual enjoyment, an English Free and Easy. It only needed this little retreat from Merry England to complete the conquest of my heart by your fair San Francisco. I have been dining with our mutual friend, the land owner and solicitor at his club — admirable dinner, excellent wines and cigars, disposed of with commendable dignity and decorum, made interesting and instructive by conversation upon industrial topics incident to the resources and development of California, but requiring a mellowing up night-cap such as we get here, where the good Samaritan Mr. Sq—— Professor Spangler has initiated me, whom I opportunely met at the hotel door. And now, Timothy, you beloved disciple of the great St. Paul, whom he recommended to take a little wine for the stomach's sake, while presenting these gentlemen, ascertain the desires of all the members of this goodly band and minister to them with promptitude; a mug of ale and alf for me."

After the landlord had filled all the orders, he said, with the voice and air of a ringmaster:

"Gentlemen, I opes you enjoy music. We ave ere to-night a distinguished violinist, who I know will be pleased to favor us with a selection. Mr. Ammers, can I prevail upon you?"

A sorrowful looking old gentleman, in seedy black clothes, awakened from a revery, laid down his pipe, untied a brown green-bag, and drew from it a violin and bow. After a

little tuning, he picked a few chords on the strings and then played with no little sweetness, "John Anderson my Joe, John;" and on being heartily applauded, he started up "The Stormy Winds do blow, blow, blow," whereupon the scrivener stood up on his chair and waving his pipe as a baton, led off the audience in a rousing chorus. This was followed of course by another round of tobies of ale and mugs of porter and alf and alf.

"Do you notice," said Sigismund to Herman, "what a fine tone that violin has? The old man and his instrument probably each has a history."

As soon as the choristers' throats had been moistened, Prof. Spangler, who had resumed his seat on the back of his chair, arose and bracing himself with one hand on his perch and pointing his pipe at Sir Roger with the other, said:

"Have as guest to-night distinguished military man from England, Capt. Stanton — has broad chest, strong voice, good fellow — think, if requested, might render us a song."

"Hear, hear, a song from the Captain," came from all mouths.

"Well, my men, if you will, here goes," said Sir Roger, and he straightened himself up, and with dramatic force and expression, chanted that solemn ditty, "Giles Scrogins' Ghost," which was interlarded with certain unearthly shrieks from a clarionet, brought into action by one of the guests, and blood-curdling groans from Sigismund. The ballad finished, there were thunders of applause and cries of encore; but Sir Roger had settled back into his comfortable pose, and declined to respond further.

"Can we persuade you, Prof. Spangler," said Old Taps, "to contribute to our enjoyment, with something from the concertina?"

The scrivener, without further solicitation, shot his arms down, seized the concertina, arose, stretched himself up, held the instrument like a muff in front of his stomach, took a comprehensive glance around the assembled congregation, then rolled up his eyes to the ceiling and seemed to turn like the inhabitants of the fabled city into a graven image while a deep silence rested on the expectant auditors. Presently faint little breathings of sound came from

the muff-like object, though the statue remained motionless, like the sighs of the forest wind, then piping notes, in a sweet refrain, followed by chirping and rustlings, and then a harmonious symphony, growing in volume; until suddenly the graven image sprang into life and became a thing of action, vibrating with the throbbing of his instrument, clasping it to his breast, swinging it signal-like in a circle about his head, resting it gently below his knees, as he bent over it, gazing at it as he held it on one side and then on the other, his body swaying and bending like that of a contortionist; while all the time the magic music of the overture of "Der Freischutz" poured from it, in expression and execution that Herman had not dreamed possible from this rarely heard instrument. Sigismund was deeply impressed with the remarkable performance, and Sir Roger sat the picture of amazement. As the Professor laid down his concertina he dried up into his impenetrable self, emptied his toby and refilled and lighted his pipe, and nodded his head mechanically to the applause and compliments of the listeners. Herman, while listening to the performance, had been scribbling upon an envelope he had taken from his pocket, and during the chatting following the effort of Squiggler, he and Sigismund were together looking at the writing and humming an air. Presently the time came for Sigismund to contribute to the entertainment, and he said that he would be glad to do his part, if the sorrowful old gentleman would permit the use of his violin.

"I cannot bear," said the old man, "to let anyone else touch my old companion. It would grieve me if a discord were wrenched into it. Only if you are a good player and understand the tender treatment due to a noble instrument, could I let you have it."

"My dear sir, I have the same feeling to my own dear violin, and I would not ask the great privilege of you, if I did not know how to treat it. I at once recognized that it was a superior instrument."

The old man handed it to him reluctantly, and Sigismund, with not many strokes of his bow by which he brought out its full tone, took away all fear from and brightened up with pleasure the old man's face. He be-

gan with "The Last Rose of Summer," and played the simple air so sweetly and with such feeling that even Old Taps seemed touched, and the tears came to the eyes of the sorrowful old gentleman; following it with his own variations that only brought out the beauty of the theme. From it he glided into "The Blue Danube" waltz and ended with "God Save the Queen," bringing all singing to their feet, Sir Roger raising aloft his silk hat on his cane and waving it in the smoke clouds.

"Thanks, thanks, sir," said the sorrowful old gentleman; "the old violin has not sung so sweetly for many a weary year."

At last Herman, as he had anticipated, was called upon to do his share. He said that he had little voice and his memory was unreliable, so he had scribbled off a little doggerel to which he and Mr. Soirree had adjusted a tune stolen from a couple of familiar old ballads, and which he would give to them, asking their charity in the beginning. After a prelude by Mr. Soirree on the violin, he sang from his envelope the following ditty:

"Though brave we may be in the battles of life,
And bear with a smile its loads and hard raps,
For strength to hold out to the end of the strife,
We must halt by the way and cheer up at
Old Taps.

"Old Taps, Old Taps, the rarest of chaps,
He laughs at mishaps and scorns the world's slaps,
Does the brave Old Taps.

"When the heart is oppressed and the brow wears a cloud,
And the mantle of mourning the sad soul enwraps,
Just lock up your workshop, and flee from the crowd,
And hie to joy's conjuring wizard,
Old Taps.

"Old Taps, Old Taps, the rarest of chaps,
He laughs at mishaps and scorns the world's slaps,
Does the merry Old Taps.

"When the spirit is sparkling and thought wings its flight
To the playgrounds of fancy, and its songbirds entraps,
Then share with boon comrades your soul's keen delight,
And give alms in joy's jewels to the wards of
Old Taps.

"Old Taps, Old Taps, the rarest of chaps,
He laughs at mishaps and scorns the world's slaps,
Does true-hearted Old Taps."

The improvised ballad was a stupendous success, and the plaudits were loud and prolonged, and Old Taps came up and shook hands with Herman and thanked him for the compliment and begged for the song. Herman promised to rewrite it with the music of the air and send it to him, which promise he fulfilled.

After a supper of Welsh rarebit, deliciously flavored and cooked, our friends departed. Herman and Sigismund left Sir Roger and Squiggler at The Occidental, and took a little stroll for digestive purposes before retiring. As they walked up Bush Street, in the ladies' entrance to a restaurant, where the light fell upon their faces, our friends were astonished to see the woman who was with Edwards at the minstrels in earnest conversation with Buckley.

"There is some deviltry on hand," said Sigismund.

"Yes," replied Herman, "and I will wager the victim is Howells' friend Edwards. I wish he had not left the City; he should know of this."

## CHAPTER XLII

### THE HOUND, A FAITHFUL FRIEND; THE SON AN INGRATE

Mrs. Stanley, since her visit to the City, had suffered from an attack of heart trouble more prolonged than usual, and the Doctor had been in daily attendance upon her. He had impressed upon her the absolute necessity of avoiding all excitement or worry, and she had been able to submit obediently to his injunctions by a postponement to some future day of matters trying to the nerves. If the thought of them flashed upon her mind, with an effort she would consign them to the time allotted in the future for the ordeal which was to be passed through. It would have been impossible for her to banish them finally from her mind as needless subjects of annoyance or anger; it was only by putting them off that she gained momentary peace. Walter, in a way more polite than affectionate, gave to her each day an hour or two of his time, reading to her the newspapers and popular magazines and commenting upon the current social doings in New York. His mother confined herself principally to listening, sometimes lifting her eyes and looking keenly at his face, then dropping them, while her features for a moment would be drawn with an expression of pain and the effort to suppress it. At times, when he was less restrained and showed something of natural youthfulness, displaying at the same time his inherited cleverness, she would smile, and make some bright remarks, only to return soon to her accustomed listlessness. She had said nothing to him concerning her visit to San Francisco, and had evaded questions ventured by him to bring out the nature of her errand. Anna Morgan came to see her frequently, bringing her flowers and now and then some little delicacy she thought might tempt her appetite, chatting a while, and then running away on some commission, frequently accompanied by Walter.

These visits were no diversion to the invalid; Anna bored her; there was nothing in her to awaken a sympathetic feeling, or to invoke the spirit of contention. But strange to say, Martha interested her more and more, as they were thrown together. They had apparently not a thing in common, other than brightness of intellect, and as to that there was the difference between the stab of a keen-bladed stiletto and the attraction of a powerful magnet. Yet she seemed to gain more diversion and satisfaction from her company than from that of anyone she came in contact with. Martha was a mystery to her and a study, and she was disarmed by her, rarely venturing to make her the object of her sneers or heartless cynicism. As to Martha, a great change had come over her in feeling and conduct towards Mrs. Stanley since the fête where she had given such dramatic evidence of the fire of passion that burned within her; an ineffable pity for her had taken possession of this young woman's heart. With all her proud arrogance, cynicism and contempt for the sympathy of her fellows, the poor woman seemed to be so desolate, so lonely, so forlorn, a passionate heart, it seemed to her, encircled with a sea of ice, that she longed to in some way help her. Her quick observation and keen perceptions very soon disclosed to her the absence of filial affection in Walter and the disappointment and resentment it brought to his mother, all the more bitter because of her having evidently given her life to him, the only object of affection she had allowed to exist in her heart.

It was a Sunday morning in December; a slight tracery of snow lingered after a few crisp nights following the rain in the crevices of the mountain peaks, which were shaded to a deep dark blue by a boa of fleecy clouds flung across the clear sky above them, and which sharply chiseled each feature, distinctly outlined in the pure atmosphere, and drawn so close that the miles to their feet appeared but a few steps; and to climb to their heights along what seemed stepping stones and driveways carved by nature on the mountain sides, looked like an hour's pastime. The rains had dissipated the landscape's autumn colors, and a carpeting of dissolving tints of delicate green was spread over the foothills where not many days back were scattered

Persian rugs of gray withered grasses and lustre-hued tarweed. The sunshine had in it a luxurious caressing, ministering warmth to the invalid, like the spell of lotus blossoms, while, borne upon the breeze, it caught the bracing breath of the frosted peaks.

Mrs. Stanley reclined in the steamer-chair on her porch where the grateful sunshine poured down in a flood of light and warmth, and there was wafted to her through the gently stirring vine leaves the faint scent of the mignonette's first blossom. Her faithful companion Timon lay at her feet, and one would think, in witnessing the gentle tokens of his devotion and the glances of grateful affection his mistress at times gave him, that within him was the spirit of her guardian angel, there to preserve a single link between her and the spiritual in womanhood, to save her from herself. Walter had performed his usual task and taken his departure. She had been reading "Les Miserables," and the volume lay in her lap, while she sat, after trying to analyze Victor Hugo's strained, fictitious philosophy, brooding over her own life and endeavoring to enterpret it and solve its problems by a materialist's metaphysical Euclid. As if the soul of man could be reduced to a plane and measured and platted and delineated and demonstrated by scientific rules; as if any but the divine Creator could read the book, and paint its portraits, that is a mystery to the heart it is the record of. Noble aspirations, compelling passions, spiritual longings, selfish impulses, sweet compassion, cold indifference, tender gentleness, earnest purpose, rasping fretfulness, childish weakness, inheritance birth marks, environment's impress, contending good and evil, the senses' degradation struggling with the spirit's exaltation, blending in different proportions that ever change, no one personality in the world's myriads identical with another, and man's individuality never exactly to-morrow what it is to-day; there is but one key, one talisman, one interpreter, one mentor, one minister, one elixir for the inscrutable cosmos the human soul, the essential spirit that preserves its union with its divine source — religion. The disciples of unbelief, of agnosticism and materialism can only take the census and classify the elements of thought and emotion and record their incarnations, disem-

bodied from the individual a perfected entity with peculiar identity distinct from its fellows; they are dissectors of the common vitals, powerless to seize or comprehend the essence or spirit that quickens each image of clay and stamps upon its features the distinguishing mark of an independent soul. With no divine light to guide to the fountains of the individual heart, they can only legislate for the multitude, and, beyond the laws of the land, their sole specific is the rest cure, the selfish, the cowardly, the ignoble philosophy of stoicism. The hound suddenly raised his head, sniffed the breeze, rose up, stretched himself, and trotted to the gate, wagging his tail. Mrs. Stanley following him with her eyes, saw, with a sense of relief, Martha approaching. Timon seemed to hold her next to his mistress in his good graces and always was glad to see her. She came in quietly, inquired of Mrs. Stanley about her health, and handed her a bunch of Old Man she had gathered near the Mission on her way home from mass. A faint flush of color came into the invalid's face as she smelled the aromatic herb, and thanked Martha, and said:

"You did not know it, Martha, but you could not have brought me anything I would rather have just now than this homely shrub, with its wild fragrance; it smells of the very few happy days of my girlhood, and it has rare perfume to me when the scent of the sweetest flowers awakens no sentiment. I see by your prayer book you have been to church. I envy your being able to take so long a walk this perfect day, and even the monotony of a mass and the platitudes of a dull sermon would be a change one could put up with from the dullness and dryness of enforced invalidism."

"It is a lovely day," said Martha, "and as I strolled down from the Mission, so it happened, alone with my thoughts, I imagined that all nature was impressed with the spirit of Sunday; her sounds seemed softened and subdued, and there was a hush and stillness in the air, as if it felt the benediction from the altar."

"Nature very frequently out here has these days you may call Sunday-like," replied Mrs. Stanley; "but they belong to her moods, and are not fixed and regulated by

clerical decree. She often labors and frowns and storms on the man-made holy days in a most blasphemous way. But whatever her moods, one learns more and gains more satisfaction by being in her society than can be gained in the myths and mockery designed by man to minister to his superstition, in temple and conventicle. I cannot comprehend why, Martha, you who are not apt to do things simply because others do them, should waste a part of this beautiful morning sitting in a dreary church and listening to a drearier service, when you could listen to better sermons and your mind and heart gain far more rest and refreshment out under the bright sky. It is beyond me to understand how religion, as it is manufactured and applied, can be anything but a manacle on the soul and a prison to the intellect. I do not say this to ridicule your belief, and I hope I do not wound you, but it is the expression of my sincere thoughts and reason."

Martha had seated herself on the steps of the porch not far from where Mrs. Stanley reclined, the hound having stretched himself out between them, and played with her prayer book, as she looked pensively at the mountains. She did not answer at first, but finally said, as if talking to herself:

"What is the landscape to the blind, or the sweet calls of nature to the deaf? How can nature alone minister to the heart's longings that reach into the clouds way beyond her loftiest peaks, or its sorrows that turn the face to the wall, or its doubts and fears that rob the earth of its charms; or what has she to do with the soul's ecstasy, where the spirit soars heavenward from a prison or cloister cell? What magic has she to solve the heart's problems? I have no doubt, Mrs. Stanley," she continued, as if awakening from a revery, and glancing at her companion, "that you have many moments when nature, at its best and most seductive, is a desert to you, without flavor or fragrance or power to move, and this at times when the heart throbs passionately and the emotions are keen and sensitive. If we were a plant or a dumb beast and belonged to the kingdom of soulless matter, nature would be all sufficient to us; but there is a spirit world within us, a world independent of that our senses are conscious of, that con-

stitutes our identity, as an immortal being, and this spirit life must be interpreted, ministered to and controlled by other powers and influences than proceed from the objects of the senses. The recognition and belief in a higher power, in a divine Providence, and reliance upon it, and the cherishing with love of the tie that binds our souls to the Sacred Presence, and the invoking of its aid and consolation, bring rest and calm and happiness to the heart when the senses have no balm."

"Why, you sermonize like a preacher, Martha; have you been committing to memory some schoolman's homilies?"

"No," replied Martha, smiling, "I may have caught some of the phraseology of some writer or speaker, but I am no student of philosophy or metaphysics, and know little about theology, and what I am saying is simply what has come into my own thoughts. I do think a great deal about these things. What I read, when such subjects address themselves to me, are books of devotion, such as Thomas à Kempis, Fenelon, Francis de Sales, Faber and the like."

"You are a dreamer, Martha, and all these thoughts are day dreams," said Mrs. Stanley. "Reason and science prove that nature herself is her own creator and that human life is a part of her, and her laws are uniform and universal in their application, and a breath of human thought, a prayer of the human mind cannot alter or modify them. It is preposterous to hold that there exists a Providence who changes their wonderful working at the requests of the tens of thousands that are continuously praying for special providences, and which, if granted, would create chaos in the universe. It is vain also to think that you or I are a peculiar, especially created and personally cared for being, a kingdom in ourself. What is our individuality? Why, it is nothing but a mixture of the same ingredients in different proportions that constituted the mental and physical make-up of the generations of our forefathers; shaped and moulded by our accidental environment. We are the superior order of nature's beings, but we are not excepted from the operation of her universal laws, and, like everything else, we die and lose our identity, and some other form of life springs from us. As for solving life's problems, all we have to do is with our intellect, aided if

necessary by others' advice and experience in life. Nothing from an unknown world can help us. Imagination sometimes may bring relief to a distressed mind where cold reason's truths are too much to bear."

"It grieves me to hear you speak so, or rather that what you say are your convictions," replied Martha. "You will admit that what you term nature does nothing without a purpose, or, I may say, that nothing exists without a reason, and that there is no absolutely vain creation. Then why, since the beginning has the human soul been naturally drawn to communion with an infinite spirit, and why has religion always been an impulse of the heart, sentient and well defined as love or hate? But, Mrs. Stanley, viewing it from a selfish point, what we want in life is peace of heart, satisfaction with self—happiness. And if we have noble promptings, our aim is to bring happiness to others. If reason or the material world do not give us this, is it a degradation to sacrifice a bit of our vain pride of intellect and seek help from a source that has helped the noblest men and greatest intellects the world has produced, in keeping the heart pure, conquering evil and doing good, in winning liberty of thought and peace of mind, in bearing suffering and dispensing happiness, while ennobling their souls, bestowing blessings on their fellows? With me my religion is a purifying and elevating principle, as well as a solacing angel, and aid in all my purposes for good and a source of true happiness. It makes what are natural duties sacred obligations, and it spiritualizes the commonplaces of my daily life and gives them flavor. In the melancholy moments that often come to me, it banishes rebellion and the temptation to despair, and sweetens sadness, and in my bright and happy moods it impels me to share my happiness with others in need of it, giving me double joy. It warns and makes spiritual the affection that unites so happily our family. The love I have for my father is beyond what nature puts in a child's heart; it is blended with a sacred veneration that constant prayer for blessings on him keeps undying, and his love and care for us that of a guardian angel, graced with the inspiration of religion, and when God calls him from us, it will remain a benediction on our lives."

Martha here stopped abruptly. She had been talking impulsively, really thinking aloud, without consideration of the effect her words might produce on her auditor, but hardly had the words, telling of the love between her father and his daughters, passed her lips when the thought of Walter Stanley's apparent lack of true affection to his mother and the bitterness it evidently caused her flashed into her mind and silenced her, with mortification for being thoughtless enough to say anything that might bring her pain. They were both silent for a few moments, when Mrs. Stanley said:

"I believe that you are sincere, Martha, and as long as your religion brings comfort and pleasure to yourself and you do not use it as a ground of asserting superiority over others or as a means of bringing other people's ideas into contempt, I do not see why you should not cherish it. You are a child and this idea of some sort of an angel protecting and helping and playing mentor to you is something belonging to the imagination of a child, and it may be better for you if it keeps you one. I can best wish for you that no blasting bitterness come into your life that will wither up the flowers of your child's fancy and your religion with it, and leave your heart a dreary chamber with no playthings in it."

"Good-by, Mrs. Stanley," said Martha, as she arose to go. "I hope that I have not annoyed or worried you too much with my talk. Indeed, I do not often talk so much, and rarely preach, and I do not know what prompted me to discuss what Papa says should never enter social conversation. Please forgive me."

"It was I that brought it up, my child; I have nothing to forgive."

Timon escorted Martha to the gate, and returning stood by his mistress, resting his head on the arm of the chair, looking up into her face. She was very pale, her lips were pressed tightly together, and a moisture rarely seen there glistened in her eyes. At last she looked down at her faithful friend and said:

"Timon, you have no soul, no reasoning faculties, no consciousness of good or evil, but the warmth of affection and the loyalty of a nobleman are in your breast;

while the one who should be in your place by his mother's side has whatever exists of immortality in mortal, intellect and knowledge of right and wrong, without a spark of sincere love for the one who bore him, the ending of whose wretched life would be to him a welcome release. Can it be that when the reason rises above the slavery to superstition it leaves behind the impulses that ennoble brutes and make men brothers!"

Some days after this Sunday Mrs. Stanley felt strong enough and sufficiently calm and self-possessed to take her disagreeables from their pigeonholes and dispose of them. She had determined to act in cold blood, and not to permit herself to give away to anger, so dangerous a foe to her frail heart. The only real difficult task was the interview with Walter, made necessary by what she had discovered on her visit to San Francisco.

One morning when Walter had been reading to her and was about to go away, she said, quietly:

"Walter, you remember that I refused to exchange any of my standard securities for speculative investments of any kind; then how is it that you have removed from my box $5,000.00 of my government bonds and substituted in their place stock of El Roblar Viejo Company, which I positively refused to invest in?"

The abruptness of this question for the moment disconcerted him, but quickly assuming a dogged air, he replied:

"When you so told me, I had already exchanged them in accordance with my judgment. I believed I told you at the time we talked about it that it was folly to hold capital tied up in what yielded so little revenue."

"Do you not know that you were guilty of a criminal act?"

"No, I do not. It was all my father's money, and though he left it to you by his will, by right and nature, I as well as you should profit by it."

The color came and went in his mother's face, but with a great effort she controlled her emotion, and continued in the same quiet tone:

"Your father purposely kept it from your control, as he felt that it would have been dissipated and both of

us left at the mercy of a world that has no love for us, and this instance shows how wise he was. The thing has been done, and I shall not mention it again. Here is the stock," and opening the bag she kept by her side, she took from it an envelope and handed it to him. Stanley took it mechanically, saying nothing, and his mother continued:

"It is yours to do with what you will. But you must by means of it find the income to replace what the bonds yielded, or else you have that much less to live on. Now, Walter, I am going to do what is very hard for me who have allowed little of the feeling within me to be disclosed to others, even to my own son, the dread of having it scorned has been too great; I am going to plead with you as a mother. You wounded me, as probably you intended, in saying what I have was all your father's and intimated that I have withheld from you your birthright. What have I in this world but you? What have I done for my own pleasure since your father's death? Have not all my efforts and plans been for your happiness? What is my life? A miserable, arid desert, the dragging of a weary soul through day after day of flavorless existence, when one breath of sincere affection, one glance of filial love from you, showing that my life meant something of value and pleasure to you, would turn it into an Eden. What your father gave me I guard with care, so that neither one of us may come to want; to save me from myself, for my pride could never endure the mortification of poverty, and to save you from being left, through your own recklessness, without the means of existence. There has been one purpose in the administration and disposition of the estate I hold, and that is your ultimate benefit. But, enough of this subject; what I wished to speak to you about particularly is your present life; what it really is has been brought to my knowledge. Your associates are gamblers and profligates and your habits are anything but reputable, they are immoral."

Stanley glanced at her angrily, and was about to retort, when she went on:

"Stop, Walter, I do not wish to quarrel with you, I am not upbraiding you, and am not speaking in anger. I simply implore you not to bring disgrace upon us both."

"What difference does it make what my personal habits and association are, so long as I keep away from courts and from behind prison bars, as long as you are not the mother of a felon? Morality has little place in our philosophy, and as for disgrace, have you not always expressed your contempt for what the world thought of you?"

"When have I ever said to you or implied in word or conduct that morality was not essential to gentility? Have I not again and again told you that my ambition was to have you a true gentleman, and how can this be if bestiality makes your conduct filthy, or you hold companionship with a vulgar and besotted? Has not my own conduct been an example to you? When has a breath of scandal rested upon my life? When have you heard a vulgar word escape my lips? You are right in saying I care nothing for the world's opinion and criticism, but what sustains me in this? It is my pride, my pride based upon my gentility and superior conduct. If you have not pride of birth, pride of intellect that lifts you above the beasts, pride of education, that makes you hold low things in contempt, what have you? To bring disgrace upon me through the degradation of you, my son, would be to destroy that pride and take away my life whose only prop it is. If you are reckless concerning yourself, I ask you as my son, and I am humbling myself as I never did before in begging it of you, spare me, your mother. Your talents and education admit you to a cleaner association, where they can be made more profitable and afford as much excitement and diversion, as with the low and villainous."

She ceased and gazed intently at Walter, awaiting some reply. All appearance of bravado had left him, and if he had the intention to display any resentment, he was powerless to do so; he was a weakling when confronted with the force of her impressive presence. At last he said:

"Mother, I have nothing to answer now. I will think over what you have said. I certainly do not wish to disgrace you or myself either, and it will not happen. I have no doubt that any reports you have heard are grossly exaggerated," and he walked away. When recovered from the spell of her earnest words and dramatic voice, he said to himself:

"She should have delivered her lectures on morality earlier in my life, and displayed her maternal feeling when I was a boy; it might have had more effect. Well, I ought to be proud of her, she is a remarkable woman."

## CHAPTER XLIII

### THE MURDER OF TOM EDWARDS

Mr. Crawson had purchased a lot adjoining the American Hotel, and was erecting a building on it which he intended for hotel purposes, though he confided this intention only to his attorney, Gen. Donaldson. As they were to bear little weight, and bed rock was shallow there, at least so he said, the foundations were not massive. The walls consisted of two layers of brick, laid sideways, with a space between them and here and there a brick stuck in edgeways as a brace. The timbers were very light, so as to be flexible in case of an earthquake, and projected through the inside wall up against the one outside. Mr. Crawson appeared to be very desirous that his acquaintances, who noticed the building, should understand the theory under which he was acting in what was an uncomomn method of hotel construction, and invited Herman, among others, to inspect it.

"Now, Mr. Thomas," he said, "you notice that there is a space between these two walls, and in that space there is of course, sir, hair. Now a column of hair is as strong as a column of brick or stone, so that in henclosing this column of hair I ave a wall as thick as the brick and the space between them. In this way I ave a wall strong enough for hany purpose, and, at the same time, beautiful ventilation. If you run your and in the buttock oles hof my ouse you will feel the hair rushing through."

Here Pinto Bruto, who had been standing nearby unnoticed, making hangman's knots out of a piece of balerope he had picked up, stepped forward, and intervened in the conversation:

"A ollow wall is all right if you don't ave a fire, but it makes a ell of a flue," he said.

Mr. Crawson turned on him savagely, and said:

"What do you mean by sticking in your hugly mug and

cheeky gab when gentleman hare conversing, you d—d cockney."

"You calls me a cockney, does you," retorted Pinto Bruto viciously; "you calls yourself a gentleman does you; why you bloody Sidney Duck, I've anged many a better gentleman than you, and I'm blowed if I don't think when I gets a good look at you, that you're Bill Anson, as was sentenced to be anged in Queensland, and broke jail when I ad the gallows all ready for im. Me a cockney? You never ears me put a extra h on a word, and you sticks em on worse'n a London cabby."

"Gentlemen, gentlemen, I am astonished at you bringing into disrepute that classical dialect which is a distinction to anyone that uses it fluently in conversation. I am a cockney myself, and I am grieved to have you regard it as a term of reproach."

This was uttered in a serious tone by one who had come up back of Herman. Turning he saw Sir Roger, in immaculate suit, silk hat and jeweled cane, who gave him a sly wink, and continued:

"There is, as the gentleman with the bale-rope appears to intimate, a distinction that, to a certain extent, figures in the reading of the social scale, and certain ones of those who show their liberality in the dispensing with their aspirates from the English language as it is conventionally written, are known to claim that those who are equally liberal in applying them where written orthography omits them, belong socially to an inferior caste; but I think this is unjust; for I have found numbers of the latter class who have as much breeding as the former; in fact I think that taking generally those who use the dialect, there are no degrees of social standing in Cockneydom."

Mr. Crawson stared at the new intruder hardly knowing whether to treat him brutally as he had done Pinto Bruto, or with a dignified contempt, when Herman shook hands with him, and introduced him, with affected ceremoniousness.

"Your hobedient servant, Sir Roger; ham proud to meet a brother Henglishmn so far from ome. I was just hexibiting to my friend Mr. Thomas, a little structure I am erecting hin accordance with my hown hideas of harchitecture."

"I would be glad to avail myself," said Sir Roger, "of the opportunity of learning any novelty in building construction. I am president of a London insurance company and take great interest in these matters."

"Ahem," exclaimed Mr. Crawson, looking at his watch, "I find that I ave just time to keep an appointment; some other day, Sir Roger, I should be glad to give you my hideas," and he started away, not however before Pinto Bruto, as he drew a noose tight around an imaginary neck, had given him a parting shot:

"That cove doesn't want any insurance experts around ere till after the fire."

"I am pleased to meet you again, Sir Roger, and hope you will gain very favorable impressions of our hamlet by the sea, as well as the country about it," said Herman, after a quiet laugh over Crawson's retreat.

"I have fallen in love with the place already, Mr. Thomas, though I only landed an hour since. I am a rather rapid observer, and my impressions are formed quickly, and they are certainly most favorable."

"Well, when you can steal the time from your business companions," said Herman, "I would be glad to show you a little attention, and find you some entertainment, not exactly of the kind Old Taps affords, but probably of greater novelty to you."

Sir Roger thanked him and went to join his party. Herman having a matter before a justice of peace, a native Californian, a venerable relic of the Mexican régime, who administered justice for the benefit of his *paisano* friends in an old adobe near the Commandante Casa, betook himself to his court by the shortest way, back of the Crawson edifice, through the hotel back yard, and as he passed a corral shielded by a shed from view of the street, he noticed Buckley standing by the fence talking with Vanegas who was mounted and had his riata on his saddle and his blanket strapped back of it. They were talking in a low tone of voice, and did not seem to notice him. Buckley was cutting notches in the fence with his penknife, and Vanegas was leaning over him so close that the red handkerchief knotted about his neck nearly touched his face; and an expression of fiendish cunning was on his brutal face.

Herman was mentally oppressed and worried at seeing these parties evidently conspiring together, and he could not throw off the feeling. He remembered the conversation he had overheard between them the night of the political meeting at Santa Susana, and also the incident of the conversation in San Francisco between Buckley and the woman, the companion of Edwards, and he felt that the two had reference to the same scheme and that it involved the perpetration of some nefarious act. He had a presentiment that a great crime or outrage was on the eve of being committed by them or through their agency. The same evening he received a letter from Howells that convinced him that this pair of scoundrels intended foul play to Howells' friend Edwards. Howells wrote:

"Upon my return to the City I find that my foolhardy friend, Edwards, to whom I introduced you at the What Cheer House, I believe disregarding all my cautioning, started some ten days ago down to Santa Susana on horseback, with a considerable sum of money on him, drawn out of bank here, and I doubt if he took pains to conceal his movements. He had been drinking pretty heavily and up to the time he left had in tow one of the sharpest fast women in San Francisco. He ought to be getting into St. Agnes about the time this letter reaches you, if he has not been waylaid, and I wish you would keep a look out for him and see that he and his money are taken care of until he has bought and paid for his property."

Herman felt that something should be done at once to protect Edwards from violence, but he was at a loss to know what action to take. Night had come, and Vanegas had left a couple of hours before, and would no doubt intercept his victim before it would be possible to reach him. He hunted up Sigismund and told him the circumstances, more to relieve his mind than with hope of his being able to suggest anything to be done. Sigismund said that he had arranged to go with Brooks, Espinosa and Sir Roger to El Roblar Viejo the next morning, and he could keep a watch for Edwards and post others along the road to warn him of possible danger if they met him. But he could see nothing that Herman could do that night. While they were talking Pancho came up and greeted them.

Herman asked him if he could spare a day or two to make a trip for him. On his replying that he could arrange to be away from the rancho for several days, Herman told him that he feared that an acquaintance who was traveling on horseback from San Francisco, and should reach St. Agnes about this time, might be in danger of being waylaid and robbed, and he wanted to try get a word of warning to him through one who could be a bodyguard for him into town, and asked Pancho if he could start out at daybreak the next morning on this errand. Pancho readily agreed to do it. Herman described Edwards as well as he could and instructed him to keep his eye on the road and look for any signs of a disturbance or struggle; for he feared that he might have already met with foul play. He also instructed Pancho, if he should see Vanegas anywhere to note his appearance and actions and where he appeared to be coming from and going to.

Herman passed a restless night; it was impossible to drive from his mind the thought of Edwards and the possibility of his having met with foul play, and when he arose early the next morning the presentiment was fixed in his mind that Howells' letter had reached its destination too late to save his friend.

He had finished breakfast and had just seen Brooks and his party drive off when Pancho dashed up to the hotel, threw himself off his horse and came up to Herman.

"Too late," he said; "the man has been robbed and murdered only five miles from town. When I reached the aguajes, just where the road goes down into the cañon in the willows I saw foot marks of a couple of horses, some drawn as appears when a horse braces himself when the riata is thrown, and a broad path through the dust into the underbrush as if a body had been dragged along. I followed this trail up the cañon, and about a hundred yards from the road I found the corpse of the man you describe, with the marks of the riata on his neck and several knife wounds in his breast. I examined the clothing enough to see that everything of value had been taken, except his revolver and a ring and locket which I did not disturb."

"It is horrible," said Herman; "but I felt that you would never find him alive. Did you see anything of Vanegas?"

"When I was starting out this morning I went to the Spanish restaurant to get a cup of coffee and found Vanegas there taking breakfast. He asked me if I was going to the ranch and told me that he had intended to go to El Roblar Viejo ahead of Brooks, but he had found this morning that his horse was lame."

Herman immediately telegraphed Howells, and then notified the sheriff, coroner and Dr. Vanderpool. He cautioned them and Pancho not to disclose the fact of the murder until the body had been examined by them and brought into town, and explained to the sheriff that he believed he could point out the murderer and his accomplice, and had him detail a couple of shrewd men in whom he had absolute confidence and who were equal to handling such desperadoes if necessary, to shadow Vanegas and Buckley, with instructions to arrest either one of the parties without ceremony, if he attempted to get away from town. They then repaired to the scene of the tragedy.

The stillness of death rested on the spot; not a breath of air was stirring; a heavy fog had come up in the night and enveloped the cañon, as if it were to shield the ghastly spectacle from the eyes of man, yet preserving each mark and trace of the brutal deed to tell the history of the crime and track the steps of the guilty. They scrutinized thoroughly the ground. The impression in the dirt of one of the horse shoes gave the appearance of one prong of the shoe being shorter than the other. They then examined the body. The mark of a riata was plainly visible on the neck. The upper part of the body was clothed with a woolen shirt drenched with blood. There were three clean cut wounds from the thrust of a sharp knife, and on either side of each knife wound was a round indentation in the flesh, as if a small spike had been driven in, in some places cutting through the woolen shirt, and in others imbedding it in the flesh. Dr. Vanderpool called Herman's attention to this. All of value upon his person was a massive gold ring set with a handsome specimen of quartz, and a locket containing the picture of an old woman, and on the

reverse side a lock of gray hair beneath a gold band on which was roughly engraved, as if with a penknife, "Mother." A rifled money belt lay on the ground beside the body. After the examination of the body, the sheriff remarked that the victim's horse should be nearby and they went up the cañon in search of it. About a hundred yards above, they came across its carcass. It had been shot through the head. The saddle and bridle were on it, and on the ground close by were a blanket, coat, and a leather rifle case that had been sewed up with leather thongs which were cut with a knife, and beside it a long piece of chamois. The sheriff picked the case up and looked inside, then gave it a rap against a tree, and a bright new double eagle rolled out upon the ground. He examined it and found that it was a new piece of the latest San Francisco coinage. They took off the saddle and bridle and put them with the other things in the wagon brought out for the purpose, and then gently lifted in the remains of the murdered man, and covered them with his blanket, and Pancho with the coroner drove it into town, the others following. When the wagon had started Herman advised the Sheriff, who was on horseback, to ride in ahead of the wagon and arrest Vanegas immediately and search him, and he believed that he would find the knife with which the murderous work had been done. He informed him of how he had through accidental circumstances examined the knife he always carried with him, and told him of the projecting points on either side of the blades which he had no doubt made the peculiar indentations beside the cuts. As to Buckley he thought he had better be closely watched, but not arrested until he had heard from the City. On reaching town Herman found awaiting him a dispatch from Howells, requesting him to attend the inquest with Dr. Vanderpool and to take every step necessary to preserve all evidence and objects which could possibly furnish a clue to the discovery of the murderer. Also to watch for the passing of new gold pieces of recent coinage.

Herman then wired him to interview the woman companion of Edwards and telegraph result, and informing him of her conversation with Buckley after being with Edwards. When he left the telegraph office he met the

Sheriff, who said, "Vanegas is locked up with a guard on the jail under orders to let no one see or speak to him. He is the right man; I have his knife, and it was his horse's shoe made the impression we noticed, and what is more, I have a couple of hundred dollars of those new twenties, taken from his pocket."

At Herman's request, who gave his reasons, the Sheriff had the inquest put over two days. The next evening the following telegram came from Howells, "Full confession from Woman. She posted Buckley on Edward's movements. Shadow Buckley. Arrest him if he attempts leaving. Start for St. Agnes freight steamer to-morrow." Herman looked up the Sheriff, found him in the bar-room of the American Hotel and showed him the telegram. The room was crowded with men who stood about talking earnestly, and the bar-keepers were taxed to their utmost capacity in ministering to the thirst of the crowd that kept pace with the excitement of discussion. No one was playing billiards and the card rooms were deserted. The sole topic of conversation was the murder, and the arrest of Vanegas. At one end of the bar stood Buckley with his cane under his arm quietly smoking a cigar, and next to him was Mr. Hill with his back to the counter. He had been retained by Vanegas for his defense and had just come from talking with him, by permission of the Sheriff. He was voicing his views in a tone of voice that could be heard over the room, above the surrounding hum and clatter of conversation, in the endeavor to create a feeling of sympathy with his client.

"Why, boys, there is not a particle of evidence justifying the arrest of this man. I will prove by a dozen witnesses that Vanegas was here in town the day of the murder and at early morning the following day."

"That I can vouch for," remarked Buckley. "I played casino with him late in the evening and walked home with him."

"Besides," continued Hill, "anybody that knows Vanegas knows that he is familiar with every trail in the country, and can tell always where to pick up a fresh horse when he needs one in any part of Southern California, and if he got a few hours' start he would be across the Mexican

border before a posse could get within a day of him. Now, if he had committed this murder he wouldn't have been loafing around here; he wouldn't have taken any chances, but would have skipped with his spoils."

"It ain't going to do you and it ain't goin to do your cutthroat client no good your shootin your mouth off before the coroner's inquest," said an old forty-niner who had drifted down from the mines with a pair of mules and was now teaming in St. Agnes. "There ain't no man here, who has seen his mug, that don't think he ought to be hung anyhow. And I'm goin to tell you right now, there will be enough of us gringos at that inquest, besides the jury, to know if your man did the killing, and if we think he did and you get him off, the hanging'll come off jest the same even if there ain't no gallows. I knowed Tom Edwards; I've mined and grubbed and slept under the same blankets with him, and no better man ever crossed the plains. And his black-hearted murderer ain't goin to escape if I can git some sort of a chance at him."

"Good for you, Sam; you're the right sort; them's our sentiments," came a voice from the crowd. "We'll stick by you, old man; d—d the black devil, we'll help to swing him and any man that helped him onto his victim."

Pinto Bruto here wormed his way through the crowd to the miner, and said:

"Please, Mr. Slater, let me know when you're going to ang im. I'll work im off for you and give the boys all the fun they wants pullin on the rope. It's all the same to me if it's a gallows or a lamp-post or a tree, if I andles im e dances on nothink afore e as time to pass the compliments of the season."

"Well, Hill, the majority is against you," said Buckley, "on deciding the case before the evidence. Let's drink to the conviction and execution of the real murderer, you or nobody else can object to that. Come, Sheriff, and you, Sam, join us," and he threw down on the counter a bright, new twenty.

"Or murderers," said the Sheriff, "for somebody must have set the trap besides the man that sprung it. What a beautiful thing a new twenty is," he continued, picking up the coin from the counter and examining it. "Why, it

is fresh from the mint. Where did you get that beauty, Buckley?"

There was an unusual tremor in Buckley's hand as he took the gold piece and examined it. "I had not noticed the date of the coinage," he replied. "I got some fresh coin a couple of weeks ago when I cashed a check at a bank in the City. I guess this is one of the lot."

The inquest took place the following day. All the facts within the knowledge of Herman and the Sheriff were for obvious reasons not disclosed. The knife found on Vanegas, which on close examination showed, in a little incrustation of what appeared to be blood, on the hilt around the blade, one or two threads of wool, like those about the cuts in the murdered man's shirt; and its peculiar projecting pins that, without any question, caused the indentations besides the wounds. And this with the impressions made by the horseshoe, was all that was required to enable the coroner's jury to render a verdict, which was to the effect that deceased came to his death by a felonious assault committed by Anastacio Vanegas, whom they charged with deliberate and premeditated murder.

The second morning after the inquest, at daybreak, a small freight steamer came into port. There was a little group at the end of the wharf waiting for the steamer's boat; one of it was Buckley, standing beside a trunk bearing his initials, on which rested his valise. The Sheriff stood on the wharf's edge watching the approaching boat. He had remarked to the others that he was expecting a prisoner. The first to land were Howells and a woman dressed in black, heavily veiled. The Sheriff met him as he stepped from the gangway and held a brief whispered conversation with him. He then walked over to Buckley and, taking his arm, said, "You are my prisoner, and I shall have to ask you to return to town with me."

"Your prisoner!" exclaimed Buckley. "What do you mean? On what charge?"

Here Howells stepped up and said:

"You are arrested at my direction as accessory to the murder of Edwards."

Buckley's grit and nerve left him for an instant, and he staggered against a pile. Then bracing himself, he

stretched out his arm to take his valise, when Howells seized it, saying:

"Never mind your baggage, the Sheriff and I will look out for that."

"This is some of your d—d spite work, Howells," said Buckley; "but I will get even. I demand to be taken before a magistrate immediately."

"That's all right, Buckley, my boy; as soon as the justice gets around to his office, we'll interview him together. I would ask you to breakfast with me at the St. Louis, but I've invited another friend. I have no doubt the Sheriff will be glad to have you join him in a square meal at the American Hotel or any eating house you may select. Your stomach may need fortifying before you get through with the magistrate you are in such a hurry to be taken before, and when you find out there is more than spite work in this little episode. But I want to tell you this, Buckley," and the detective's voice lost its banter, and had in it a very menacing and sinister tone, "if you had a hand in the murder of my old friend, Tom Edwards, and I am pretty positive at this time you had, I will land you on the gallows if it costs me the last cent I have."

Buckley fell back a pace, as if he feared attack, and involuntarily put his hand on his pistol.

"If you please," said the Sheriff, "I will take that little joker; and none of your nonsense or I'll clap the bracelets on you," and he transferred Buckley's revolver to his own pocket.

As soon as the justice court opened Howells was on hand with Herman and the district attorney, and made a formal complaint accusing Buckley as an accessory to the murder of Edwards. The woman that landed with Howells from the steamer had accompanied him to the court, and was ushered into a little apartment off the court-room, and the door left ajar so that she could see and hear without being seen. A few minutes after the complaint was drawn the Sheriff appeared with his prisoner, the district attorney and Hill, Buckley's attorney. They were followed by a number of the American Hotel bar-room frequenters, acquaintances of Buckley who had gotten wind of the arrest.

The first witness called was Herman. He testified as to the conversation he and Bebeleche had overheard the night of the meeting at Santa Susana between Buckley and Vanegas, and of his having seen in San Francisco Buckley in conversation with the woman with whom Edwards had spent the evening, and also as to his coming across him talking to Vanegas the afternoon before the murder. Buckley's face had been growing darker and darker with anger, and as Herman concluded his testimony, he sprang to his feet and seizing a heavy inkstand, aimed it at the witness's head; but before he had time to hurl it, with a lightning-like movement, Howells struck down his arm and clapped a pair of handcuffs on his wrists. His face convulsed with rage, and shaking his fists at Herman, he yelled:

"You d—d sneaking meddlesome skunk, I could have told that you were at the bottom of this. No hangman will ever put his hands on me. I'll live, and don't you forget it, and I'll live to get your heart's blood, you dog."

The Sheriff pushed him back into his seat, and the old justice said quietly, with his Tennesseean drawl:

"Sheriff, if the prisoner opens his mouth again until he's asked to, gag him with a ruler. Proceed with the testimony."

Howells went to the adjoining room and brought out the woman, who took her seat on the witness chair.

"Do you know that man — the prisoner there?" asked the district attorney. The witness removed her veil from her face, gave a look at him, and said:

"Yes, that is Tom Buckley."

At the sight of her face, every bit of life seemed to leave Buckley. He sank back in his chair, and his hands trembled so that the manacles grated against each other. It was the woman that Herman and Sigismund had seen in company with Edwards at the theatre and later in conversation with Buckley. Her features were set and she spoke in a cold impressionless voice, looking down upon the floor, never raising her eyes. She said that she had known Buckley for several years, that they had been partners in some confidence games. That she had known Edwards ever since he had come from the mines, and he had

taken a fancy to her and in his cups had told her of his intending to purchase a ranch in Southern California, and was going down with the money to buy it; that she had put Buckley on his track, telling him that if he played sharp the two might get a big haul. The night she met Buckley at the restaurant, she had learned that in two days Edwards would start down to St. Agnes, taking the train to Gilroy and from thence on horseback, packing with him a large sum, and he expected to reach St. Agnes in ten days; and she told him that he had better look out for him. Buckley said that he would lay for him. And then she went on to say:

"I'm no saint, and I've been in a good many shady games, but there is no murder in my heart and no blood on my hands; and if I had thought that Buckley was an assassin, he'd never have got a word from me about Edwards. I thought he'd get him drunk and roll him; but it never entered my head that he'd murder him."

Hill asked her no questions, and she left the stand, returned to the room, and awaited Howells.

The justice demanded if the defense had any witnesses, and after a consultation with his client, Hill replied that they would not put in any testimony at this hearing. The justice thereupon bound the prisoner over to await the action of the grand jury.

"Will your Honor fix the amount of bail," said Hill.

"He is remanded without bail," replied the magistrate; "from what has occurred, I have concluded that it is better for the community, if not for him, that he remain in confinement."

## CHAPTER XLIV

### SIR ROGER WORSTS JOHN MULCAHY IN SHAM BATTLE

THE St. Louis Hotel presented a lively appearance about a week after the events just recounted, and its jolly host had as much as his fat hands and short legs could attend to in housing comfortably and feeding sumptuously a number of guests who had arrived, with keen appetites, late in the evening after a day on the road. First to come was a railroad surveying party, consisting of an engineer and his field-men, a right-of-way man and a solicitor. They were followed by Brooks' party: Brooks, Espinosa, Sigismund and Sir Roger, who had gotten through with the inspection of El Roblar Viejo. The engineer and his men had been making a reconnoissance survey for what was termed the California Atlantic and Pacific Company, which was the California cracker to the Atlantic and Pacific whip. The right-of-way-man had been mesmerizing the land owners along the coast to grant a strip through their ranchos for a coast line of railway to connect with the Atlantic and Pacific transcontinental line, and the solicitor, a mild-mannered and softly-spoken gentleman, was soliciting subsidies from the counties and municipalities that had sufficient of the railroad craze to saddle themselves with a bonded indebtedness as an inducement to obtain connection by rail with some other locality. It was generally understood at this time among those who kept track of railroad schemes, that the Atlantic and Pacific would fail in its great project to parallel the Union and Central Pacific, and the California Atlantic and Pacific was looked at with suspicion by the wise and well informed. The latter company had applied to San Francisco for a subsidy of ten million dollars, and in the meanwhile were endeavoring to pick up smaller bones in the different counties along the coast, and the arrival of the reconnoissance party at the St. Louis meant the in-

auguration of a campaign directed against the treasury of St. Agnes; a campaign which was destined to sow more seeds of dissension and cause more enmities and create greater bitterness among those that had been friends and social companions than any other influence or element that ever penetrated the precincts of St. Agnes. The history of this campaign, however, must be told at another time. Sufficient to say, St. Agnes escaped the fate of a number of Western communities and was not saddled with a bonded indebtedness created for a mythical railroad. Sir Roger, Sigismund and Herman after dinner fled the St. Louis and its gayety and established themselves cosily at the Wienerhalle for a quiet chat.

Sir Roger knew how to keep his counsel, and few could read his opinion and intentions when he chose to conceal them. While possessing this secretiveness and discretion and being a tactful diplomat, he was at the same time candid and honest in what he did openly express, and never misled. Brooks was shrewd enough to meet him with as much frankness and openness as his crooked nature was capable of, and gave him opportunity to familiarize himself with the physical features and conditions of El Roblar Viejo, as well as the business of the corporations, as displayed by the books.

In reply to the inquiry from Herman as to his impressions concerning the property, he said frankly:

"I must confess, the rancho is a finer estate and possesses greater possibilities of future value than I had supposed. If properly developed, improved and handled, it can in time be made to pay handsomely. But it is not a venture I can recommend to my associates at the price asked by Mr. Brooks, representing the company. He must come down materially in his figures. To be a speculation with assurance of profit at a much smaller purchase price, it will be necessary to expend a considerable sum of money upon it and to subdivide it into small holdings which I am convinced can be done, and a fair proportion of water allotted to each. I have to thank Mr. Sigismund for demonstrating this. But we must be assured of one thing before we go to any trouble or expense in the matter, though we may come to terms as to price, and that is, the title to

the land we buy must be perfect. This concerns you and your client, Mr. Thomas, who holds an adverse interest. Another thing, we must have, to carry out a perfect scheme of development and subdivision, the entire tract claimed by Mr. Brooks to be embraced within the boundaries of the rancho; whereas there is an excitable old native gentleman, the proprietor of an ox-cart, who claims a considerable slice necessary to the integrity of the property."

"I had in reserve to tell you," said Sigismund, "that upon our tour of observation, we had a visit in state from our friend El Erizo. His scouts, and I believe the pigeons and jack-rabbits are in his detective force, advised him of our presence just about the time we were taking in the disputed territory. Brooks and Espinosa were pointing out the springs, at the same time giving nervous glances up to the surrounding boulders, as if they dreaded an ambuscade, when something like the distant braying of an ass broke upon our ears, which gradually grew louder and more distinct until finally it became recognizable as the inimitable, unearthly screech of El Erizo's cart, and soon it came in sight up over the crest of a little hill. It was driven by the old man, and bore in addition a passenger, no less a personage than our friend, Mr. Mulcahy, who seemed to be enjoying himself immensely making wonderful gyrations with his legs, keeping time to the bucking of the cart and twirling over his head a blackthorn stick that he told me was a gift of Capt. Monaghan. The old man wore his usual armament, and his sons rode on either side of the screeching chariot, carrying their rifles across their saddle horns. I took a look at Brooks and Espinosa, and the legs of both were shaking in their stirrups. El Erizo turned his cart around broadside to the enemy and halted. Then turning to his traveling companion, said in Spanish, 'Meester Malcuyo, you tell those two highwaymen, *este* Brookies and *este* Espinosa, to get off my land, and if they do not *vamos muy pronto*, that I will drag them off. *Este diablito Cigarmundo*, meaning myself, I do not care anything about, if he wants to camp out here, he has my permission; and say to that *cavallero* Englishman, that this is my land and that the thief Brookies does not own an acre and has no right to claim or grab an acre of it,' and he

swept his arm around the boundaries of the tract he claimed as his.

"'Gintlemen,' said Mr. Mulcahy, 'I have been requisted by me friend, Don Pedro, or as his neighbors ginerally call him as a token of affection, the porcupine, to act as interprethar to put into English his forcible Spanish, and begorrah if it was the ither way puttin the English into his haythenish spache, he wud have to hire some ither scholar; for its me ear that has bin ejicated and divil a thing does me tongue know about it. My friend, the porcupine, and I've no doubt your attintion has bin called to the fact that his quills are shticken up, wishes me to politely inform Misther Brooks and Misther Espinosa, who he, no doubt as a troifling joke, calls hoighway robbers, to pacefully retoire to some safer part iv the ranch, as he himself has nade of the ground for a picnic; and if the gintlemen are too toired to roide off, that he wud be afther taking the pleasure of towing thim away at the tail of his cart. And he desired me also to say to the gintleman wid the fat calves and short stirrups, that all the land which he pointed out wid the shwape of his hand belonged to him. He sames to think that Mr. Sigismund doesn't take up too much room and moight shtay to the picnic if he wanted to, and camp in a squirrel hole and play wid the jack-rabbits.'

"After receiving this ultimatum from the porcupine, Mr. Brooks turned to our friend here, Sir Roger, and, in a low tone, said, 'I think we had better humor the old maniac and go off and leave him and his party. He is a crazy old greaser who imagines he owns the whole country.' So Brooks and Espinosa headed the retreat, Sir Roger and I bringing up the rear. We were about to pass the cart, when Mr. Mulcahy swinging his blackthorn club viciously, sprang from it, saying:

"'Hould on, ye're not goin to run away, are yez, Mr. Sigismund?'

"'It looks like it, doesn't it, John?' I said, pointing to the two ahead who were losing no time getting out of rifle range.

"'Do yez mane to tell me there's to be no fun; that that white livered, black Irishman is goin to surrender to the porcupine widout a foight? An do yez think that I wud

at this sayson whin iveryone is at wurrek day and noight to get his crops, have left me plow to be makin spaches for old Erizo whin I knew yez all understud him as well as meself, if I hadn't bin shure there was to be a foine foight? Do yez think I'd a brought me shtick wid me to a shape-fold?'

"Hereupon our friend Sir Roger took pity upon the disappointed son of Erin and said:

"'Mr. Mulcahy, my head is not accustomed to the tusks that project from that weapon you carry, but if you will come with me to that copse nearby and cut a couple of Christian oak sticks, I'll afford you a little amusement in the way of a bout, and keep you from returning to your agricultural pursuits with chagrin in your heart.'

"'By me sowl, you're one afther me own heart; I'm wid yez.'

"It did not take long for the champions to provide themselves with a brace of tough single-sticks, satisfactory in weight and poise, with which they returned to the neighborhood of the cart, where there was a beautiful level flat, just the thing for the game on hand. At the request of both I acted as second and umpire, while El Erizo and his bodyguard stood, wondering what was to take place, and Brooks and Espinosa, who had halted on a little eminence, were looking back to see why they were not followed by their fellow travelers.

"'I suppose, Mr. Mulcahy, you have not been trained to the use of the true British single-stick and expect to break my head with the manipulation of both ends of the shillalah. Well, my mother was a Dublin girl, and I have played a little with the rollicking sons of the Emerald Isle, so I'll take my chances with you.'

"The doughty knights took their positions, Mr. Mulcahy trembling all over with eagerness, and an expression of serene enjoyment on Sir Roger's countenance, and I gave the command to set to, and the sticks commenced whirling around like the spokes in a race sulky, and from the clatter you would have thought you heard Billy Birch rendering a solo on the bones. Mr. Mulcahy seemed to be dancing an Irish jig with his hands and his feet, while Sir Roger's body, you would have thought, was strung with

gutta-percha. It was the finest sport I've seen for many a day and made me long for a sabre and a worthy foe. Sir Roger appeared to direct his attack to the sides and elbows of his opponent, and made him dance all the more merrily by a whack or two on the crazy-bone and a tickler about the ribs, while Mr. Mulcahy seemed desirious of cracking the crown of his adversary, and presently succeeded in sending his Indian helmet careening across the field, but making no apparent impression upon the head underneath it. It had, however, the effect of changing our English friend's point of attack from the body to the head, and in a moment, in the midst of a fierce rattle of musketry, he gave the son of Erin a gentle rap under the chin with one end of his shillalah, coming down on his uplifted brow with the other in a clap that sounded like Hans' mallet on a beer plug, and landing the recipient on mother earth on the flat of his back, where he reposed motionless for a minute or two. The sight of his prostrate friend was too much for El Erizo, and he poised his ox-goad like a loyal lancer and darted at the victor, with the evident intention of impaling him, and Sir Roger would have had another dangerous foe to contend with if I had not arrested the enemy by the seat of his voluminous breeches as he went by, and explained to him that the warriors were the best of friends and that it was all a little game of *bolas*.

"In the meanwhile Mr. Mulcahy commenced to rub his eyes and then his head and raised himself to a sitting posture, and the first object that met his returning vision was the flask of Sir Roger which that gentleman was gallantly tendering him. He took it with a natural instinct and sent half its contents down his throat, that part of his anatomy appearing not to have been paralyzed in his collapse, smacked his lips, returned it to the giver and climbed to his feet. When firm on his pins he took a long admiring look at his adversary, then grasped his hand as he said:

"'I thank you sor, for giving me the foinest troifle o fun I've had since I left the auld counthry. You're a gintleman, an I wish there was more like yez in this haythenish land where nobody iver foights excipt whin he gets mad. I hope it will not be the last toime that we

mate in a friendly game. If yez wud only buy this ranch from that grinning black Irishman, and spind some part of the sayson here, I wud be the happiest gossoon iver exiled from the green sod.'

"Here Mr. Mulcahy put up his hand to right his hat and then looked ruefully down on the ground where were scattered around the fragments of his clay pipe, and said mournfully:

"'I only wish, sor, you had shtruck a troifle to the roight and saved me poipe from bein smashed to smithereens; its little comfort I'll have on me way home widout it.'

"'Permit me, my dear friend,' said Sir Roger, 'to present to you, as a token of my appreciation and the great enjoyment you have afforded me, a briar, mellow with age and excellent tobacco, that has been my solace, it and a companion which I retain, for a number of years, and with it a packet of a brand of the weed I know you will not find fault with.'

"Mr. Mulcahy was overcome with this generous act, and again shook his recent opponent lustily by the hand and said good-by with tears in his eyes. Sir Roger, before riding off, dived down again into his well stocked pocket and produced some packets of cigarittos which he presented courteously to El Erizo and his sons, thus appeasing what impulse of wrath there might have been in them. And so ended the drama of El Roblar Viejo Extension."

"I find, Mr. Thomas," said Sir Roger, "that our friend Mr. Sigismund is of varied accomplishments; he is an entertaining raconteur, as well as a skillful engineer, a diplomat and a chivalric gentleman. Let us drink his health."

After setting down his mug, he continued:

"The episode just related so graphically by our friend was certainly very amusing; but it appears to me that Mr. Brooks or his company has anything but assured dominion over the estate they claim to own. Do you know, Mr. Thomas, if the irascible old gent with the ox-cart has any ground for his claim to the tract he pointed out?"

"I fear he has, Sir Roger," replied Herman. "He has always pastured and watered his stock on it, and El Roblar Viejo Company will be obliged to bring suit in ejectment to dispossess him, and from information I have gathered

and my construction of remedial rights, El Erizo's right to possession will be sustained by the courts. You must, however, take into consideration, in weighing my opinion, that I have been retained by the old man to represent him in the event of a contest. There are other questions in reference to respective rights of ownership of this property which will probably be displayed in not a great while that will require adjustment before the extent of the company's dominion will be fixed; and I feel that I should, in fairness, though my clients would probably be benefited by the substitution of a cleaner set in the place of Brooks and his associates, caution you not to go far in your negotiations for the purchase of the property from El Roblar Viejo Company, until you know positively how much you will be getting good title to."

"Have no fear about that," said Sir Roger, "to-morrow morning I will name to Brooks the price I will give for the property, conditional upon his having acquired all adverse interests and settled all claims and charges upon it within six months. Should these adverse claims not be compromised and you should be successful, Mr. Thomas, in your contests, I would be glad to hear from you, and it may be practicable to deal with you independently. I would be under obligations to you in any event if you would keep me advised of what goes on concerning the estate. I will do nothing at present touching Dr. Vanderpool's tract, but may write to you concerning it. Here is my card with my address. And now, gentlemen, if you will join me in a night-cap, I will slip off alone, and relieve the anxiety of Mr. Brooks as to what has become of me."

After Sir Roger had taken his departure, Herman told Sigismund that he could report to Brooks that Don Antonio would accept fifty thousand dollars for his interest and not a cent less, and that he, Herman, advised him to stand for that figure. Having given Sir Roger a start of some minutes, the two sauntered down to the St. Louis. Espinosa was seated outside smoking a cigar in seclusion, when Sigismund joined him and invited him to take a stroll, where he outlined for him a plan of action to profit by the preplexities of his employer.

## CHAPTER XLV

### MR. BUTTS AND HIS ROUGH-HEWN PHILOSOPHY

It had been the intention of Herman not to issue summons in the suit of Antonio Castaños against El Roblar Viejo Company and Brooks, but to let it lie dormant until Howells had given the word and he was prepared to strike in his effort to recover for Mrs. Valenzuela the José Castaños interest. But Sigismund advised him to proceed at once with Antonio's case, stating that he hoped if this were done to be able to control Espinosa to Herman's advantage when it came to the trial; and so he concluded to take his advice and had the defendants served with process the morning after the party returned from the rancho. Brooks on the same day brought an action of ejectment against El Erizo for possession of the disputed tract. Donaldson and Billington also contributed to the disagreeables of this gentleman by filing on behalf of General Peters an action for moneys due for services in the procurement of the conveyance of the Antonio interest. This latter suit was a surprise to Brooks and annoyed him no little, coming as it did when the transfer was attacked on the ground of fraud. He cursed himself for letting his spitefulness and wish to be rid of the two leeches, Pedro and Peters, get the best of his usual prudence; he had turned into enemies those who would have been useful allies and important witnesses in his favor. It made him doubly uneasy about the sulkiness of Espinosa and he realized that he might be left without a witness other than himself to uphold the *bona fides* of the transaction. He saw that the only thing to do was to try to conciliate these parties with liberal promises, if possible, and with substantial gifts if absolutely necessary. He could not hope to capture Pedro and Peters without the aid of Espinosa and consequently the first thing to do was to bribe him out of his surliness and gain his veritable co-

operation. He called him into consultation in preparing his answer to the complaint of Antonio and asked him if he remembered such and such alleged facts and this and that declaration and conversation. Espinosa's memory was very hazy and he remarked that the transaction was stale and he had not kept his recollection about it fresh. Brooks then asked him if he could not refresh his memory; that it was certainly to his interest to do so, as a stockholder in the company, and that he had been thinking of increasing his stockholding. Espinosa sneered and said:

"This habit of yours talking to me as if I were a simpleton is growing more than monotonous to me, it has become unbearably insulting, and I will tell you now that it is better for you to drop it. You pretend to be unexcelled in fathoming men's minds and in shrewdness in dealing with them to your advantage, and if so you must know that I understand the position I am in as a stockholder in El Roblar Viejo Company. You can freeze me out to-morrow and what is more, you are planning in your own heart to do it. The only thing of value I have from you and your company is the paltry salary I receive which you can stop paying at any time you think you can without danger drop me, as you did Pedro and Antonio. Your vaunted shrewdness, by the way, was not in evidence when you drove them off before you were out of the woods. No, Mr. Brooks, we both know that the benefit I would receive as stockholder in your company would not justify the trouble of refreshing my memory."

Brooks' blandest smile swept over his face, and for a moment he looked steadily at his rebellious retainer with a snake-like glitter in his eyes that would have cowed him into servile obedience some little time back, but which was met now with dogged indifference, and then spoke slowly and softly:

"Espinosa, I think that you forget that the knowledge and power rest with me to disgrace you, as well as to ruin you."

"Oh, so far as that is concerned," he replied, "my memory needs no refreshing. I am fully cognizant of what you might possibly do in this way, if you wanted to. But you do not want to; for well you are aware that the first

motion you made in this direction, I would tell what I know and exercise the power I possess, and our lives would continue to run in the same channel in neighboring cells. I defy you to attempt to disgrace me."

After silence of a few moments, Brooks said:

"Well, there is no sense in our squabbling; what do you exact?"

"If you like the word, well and good," he answered. "I exact the sum of five thousand dollars cash before I become the witness that will save you from defeat in what you know to be dangerous litigation affecting you and the company."

"Why, you are crazy," exclaimed Brooks. "Do you imagine that I will permit myself to be held up for that amount of blackmail?"

"You owe me a much larger sum than that for my services, and if I sought to approach blackmail, I would make my demand ten times the amount. You can take your choice, pay me that sum or swear your own cases through yourself, for I will not take a single cent less."

"You, if anyone, know what ability I have to command cash and must be aware that it will be very difficult for me to get together that sum."

"I do not pretend to know what your bank account is; you have your confidential clerk now, employed to conceal from me your affairs, or rather so much of them as any outsider is allowed by you to get a glimpse of, and this is little enough. This much however I do know. You were paid the amount you advanced to Antonio on his stock and you have valuable property on the faith of which you can raise any moment you wish many times that amount."

"And so you are piqued at my employing a trained clerk and accountant, and this though it relieved you of all drudgery."

"You will, I see," replied Espinosa, "keep up the farce of treating me as a child, as if I had been deaf and blind or imbecile in your service, and failed to learn your motives. No, I am not piqued; I am sincerely thankful to you for this partitioning of our association and erecting a fence between us. It has made me independent, and I hold a safer position, dealing with you at arms' length; you see

that as long as we whispered to each other confidences, we were fellow plotters; no matter how well I knew your character, which, pardon me, a great many people pronounce treacherous, it would have been very difficult for me to cut loose from our comradeship and assert my rights, and protect myself against your repudiation of them. Your new clerk was a Godsend to me. But there is no use discussing the matter. I will bid you good morning. You will not need my assistance in preparing the allegations of your answer, it is when you come to prove them that you may find my services invaluable, and they can be procured for five thousand dollars," and he walked off. When he reached the street he shivered and his insolent assurance assumed for the ordeal vanished.

"I have defied the serpent," he muttered, "and there will be no rest for me, dodging his venomous fangs."

Brooks went on calmly preparing his pleadings which displayed technical skill and adroitness and a thorough knowledge of the law affecting fraudulent conveyances. He laid down his pen for a moment in the midst of his work, and pondered.

"I wonder," he said to himself, "if that fellow Thomas has had the brains to plan the treachery of Espinosa and the attack of Peters. I hardly think so. But I am told that he himself was the principal means of landing Buckley, and showed that he keeps a close mouth and his eyes open. And besides he may have help. I understand he is intimate with that snake Howells."

He finished his pleadings and took them himself to the Court House. As he went to the clerk's office at the end of the corridor, he walked slowly in front of the jail. Buckley stood looking out one of the barred windows. Brooks gave him a meaning look and then glanced at the prison door. Having finished his business in the clerk's office and returning he was met by the Sheriff on the corridor who said that Buckley wished to consult him professionally, if he would go into the jail. Brooks hesitated, remarking that he did not know what good he could do him, and then saying:

"Well, I might as well go in and see what he wants."

Buckley beckoned him to a remote corner of the room and the two remained in conversation for a much longer time

than the Sheriff supposed it would have taken for Brooks to find out what the prisoner wanted. As they finally separated, Buckley said in a whisper through his clenched teeth:

"Now don't you forget; I know him and his infernal luck; he'll beat your best trump, and he'll trail you till he lands you where I am. But if you get me out of this hole or show me how I can get out myself, he'll never try the case against you and he'll never again cross your path; and this won't happen alone for the sake of doing you a favor."

Brooks gave him a significant look and left him. As he passed through the Sheriff's office, he said:

"Poor fellow, he's in a pretty tight place; but from what he tells me, Hill is doing everything necessary, and I couldn't, especially at long range, make his defense stronger."

While Brooks was thus engaged, Espinosa had hunted up Sigismund and reported his interview.

"Bravo, bravo, my dear Manuel," he exclaimed, rubbing his hands; "you have thrown down the gauntlet, and he has not dared to take it up. You have him at your mercy, unless you weaken, and if you do, little Sigismund who never quailed before a giant or a griffin, will brand you as a coward and weakling. I do not wonder that you dread his treachery and superlative cunning; but with the two of us to fence with he will never give you a vital thrust. Cheer up and never let him catch a quiver of the lip or a faltering look, and that five thousand dollars will be in your pocket long before the trial. You will receive a letter from San Francisco that it would do no harm to show him."

When Espinosa had left, Sigismund sat down and dropped a line to Howells. As he enclosed the note in a stamped envelope of Wells-Fargo, in those days on the coast, a surer and safer mail carrier than Uncle Sam, he said to himself:

"If we three detectives, Howells, Thomas and myself cannot out-general a scoundrelly lawyer, even if he has the devil to back him, we had better apply for an Indian agency or join the National Guard."

Returning from posting his letter he met Herman and Bebeleche walking together. The former seemed worried

and downcast, and the face of the latter did not bear its accustomed jollity.

"Why, what in the world is the matter with you two hale fellows? Have you come from the funeral of a friend, or a dinner at the American Hotel, that your faces are so long?"

"We are not a very happy pair just now, Señor Sigismund," answered Bebeleche. "I have been the innocent means of our friend, Señor Thomas, making a very bad speculation. I thought I would make of him a wealthy cattle owner, instead of which I have gotten him into a game where he has lost heavily for a man of small capital."

"Well, Thomas, *mon ami*, you have been taught the lesson, that a cobbler should stick to his last. Heaven knows, if you will profit by it. Many of us never learn, but chase each rainbow that arises from the horizon," and a shade of melancholy for a moment rested on his own countenance, but vanished as quickly as it came, when he said, gayly:

"But we are young, *mon cher*, and have a brave heart and buoyant spirit, *n'est-ce-pas?* And a little loss will soon be forgotten in greater schemes. Failures, like cobbles, waifs of the ocean, are a fine foundation for noble structures. So cheer up, my boy; do not fasten a ball and chain to your spirit by brooding over what is beyond resurrection. Come into old Butts' and join me in a punch that no one brews better than this rough-hewn genius and pick up some of his nuggets of wisdom, and the sky will soon clear for you."

The invitation was accepted and the trio entered a little bar recently established and run by an honest and big-hearted ex-instructor of the manly art of self-defense in a newly constructed, cheap, two-story building, the upper floor of which was devoted to the purposes of a public-hall and lecture room, the stairway running up alongside the entrance to the bar. Mr. Butts was a chunky man with a face like the globe of a once white-washed weather-welted gate post and shoulders that received the commendation of as critical a connoisseur as Mr. ap Williams and a voice that had as great volume with less brass than that of Mr. Roncador.

When they entered they found Mr. Butts alone, seated on the top of a short step-ladder reading the sporting columns of the *New York Herald.* In an instant he descended from his elevated seat with an agility hardly expected from his proportions.

"Well, old man," said Sigismund, "you find here three men who need cheering up; so brew us each a tumbler of your most inspiring whiskey punch. Can you mix them so that in the joy they give they leave no head-ache or heart-ache behind?"

"There ain't no trick in doing that, if you let me hold the stop-watch on the number you takes. Punch is like pills, they gripes you when you take an overdose."

Herman at once brightened up and entered into the sport of drawing out the quaint ideas of this crude observer.

"You have had a great deal of experience, Mr. Butts, with drink and drinkers," he said; "it is true that there is a germ of crime in every glass of spirits a man throws into him?"

"That's darned nonsense. There aint no germs of crime in good liquor; there's madness in bad. The spawn is in the man himself. If it's there, good whiskey may warm it into life as the sun does a rattle-snake. I don't say that good liquor don't do no harm when people guzzle it, or get up the steam with it to do worse things; but a man's an idiot if he don't know that when he stirs his cocktails with the devil's tail he'll some day be scorched with his breath."

"In what school did you acquire your philosophy?" continued Herman.

"School! mighty little schooling I've had. Philosophy! I aint got no philosophy. Common sense beats philosophy all to thunder. Fellows that travel on their philosophy never go at anything straight. If they want to know the size of a hog's head, they measure the length of his tail."

"If you don't believe in philosophy, old man," said Sigismund, watching Mr. Butts' dexterity in fabricating the tempting beverages, "you certainly go something on science."

"That depends on what you call science," returned the rough-hewn sage; "if you mean making air and water and

fire and electricity do all kinds of work for us, of course I believes in science. If you mean looking at slimy things out of the ocean through a microscope and figuring out that we had a jelly fish for a great grand-mother and a monkey for a grand-father, then I tell you right here, it's darned bosh and I don't want none of it."

Bebeleche, when the last delicate touches had been given the potions, suggested that the three take their tumblers into the little cardroom off the bar, where innocent games were played for the drinks, and have a chat. The principle topic of conversation was Herman's bad luck, as Bebeleche called it, but the victim felt within himself that want of foresight and the disregard of the cautioning of his friends, as well as unskillful management had more to do with it than luck.

"I am out of the cattle business myself now," said Bebeleche, "or I would take your stock off your hands. I have, however, found a party that will give you a fair price for all of it, and I earnestly advise you to be rid of it, though it means to you a considerable loss, rather than to get deeper in the mire."

Sigismund backed up the Basque in this counsel, and Herman realized that the only thing to do was to accept the offer. So it was arranged that immediately after a *rodeo* which was to be given in a few days on the La Jota rancho, he should have one on his adjoining range, and get up the cattle for delivery. Having finished their tumblers and their talk, they started out, Mr. Butts following them to the door, standing at the foot of the stairway to the public hall, up which his voice rumbled and roared like peals of thunder.

"I don't see any loafers of the Buckley stripe around your retreat, Mr. Butts," remarked Sigismund.

"Buckley! And do you think I would let any of the thieving, murdering gang that he belongs to put his nose inside my door? You bet not. This is a decent house where no man is drugged and nobody rolled. You might call me a sport, and I am a thoroughbred and I like thoroughbreds and I have been brought up among 'em; but none of your professional gamblers for me. What I wants around me is men, not snakes."

Here Herman tried to make the aroused thoroughbred lower his voice a little, telling him that there was a lecture going on aloft.

"A lecture? Whose lecturing?"

"Professor Thornton."

"Professor of what?"

"Professor of eloquence," said Herman.

"There aint no such thing. Nobody can teach eloquence. Eloquence busts spontaneous from the soul," and the disgusted sage turned on his heel and went back to his step-ladder and his *Herald*.

## CHAPTER XLVI

### HERMAN'S GRAY SUNDAY

THE following morning, which was Sunday, when Herman awoke, it was to the same feeling of depression that possessed him the day before; though it was softened into a sadness that was not morbid or galling, but cast its shadow on his spirit as the overhanging spring fog hid the bright beams of the sun from the landscape and turned its joyousness to melancholy. He was an early riser on Sundays as high mass was early at the Mission, which he loved to attend, though it was then nothing to him but the solace that sacred surroundings and solemn services bring, and was but a harmonious accompaniment to his thoughts whatever their tone. He breakfasted alone.

On this gray Sunday, Herman's thoughts were very busy with himself. He took an inventory of his stock of exact knowledge, and was appalled at how small it was. He reviewed the inventions of his fancy, his aspirations, his schemes for success and renown, and found that they rarely took shape in practical realization. He summed up his accomplishments in his professional and business life and was depressed at how tame they were, while debited against them were magnificent failures, among them the cattle venture, to wind up which he was to go down to the *rodeo* the next day. He could not help pitying himself.

"It is hard," he soliloquized, "so very hard that I want to do and plan to do so much and that it all should end in vain dreams or abortive deeds. I wonder if I will ever gratify a great ambition or be equal to practical accomplishment. I seem to hang between earth and heaven, not having the genius or talent to soar to the lofty heights, and not being sufficiently a creature of the world to achieve the common success that every day attends the efforts of those of little intellect and no aspirations or ideals."

He was still absorbed in revery when he climbed the well-worn stone steps of the Mission and crossed over the equally worn red square tiles, passing through a bevy of frolicsome boys whose half respectful, half jocular salutation he was hardly conscious of and entered the church. Generally observant of anything quaint or eccentric or associated with the past, as he walked up the aisle he paid no attention to the statue-like figures: women in dull-hued black gowns and Spanish mantles hooding their heads and falling over their persons, and young women with hats trimmed in ribbons of red and black and yellow, and dresses of velvet and satin, with sashes and lace-trimmed scarfs; and grotesquely clad grizzled Indians and natives in Sunday attire with gayly colored neckerchiefs, kneeling before shrines and standing about the portal; nor the old Spanish paintings on the walls, some excellent copies of old masters and a startling one of the inmates of purgatory. As he finally stopped at one of the benches near the sanctuary rail, a lady moved to give him place, and looking up he awoke and recognized Martha. He sat down by her side, and her presence seemed a part of the sacredness and peacefulness of the surroundings that invoked rest and comfort. Father Aloysius preached upon the text, "And other sheep I have, that are not of this fold; them also I must bring, and they shall hear my voice, and there shall be one fold and one shepherd." There was a deep feeling in the young priest's voice and a spirituality in his face that impressed his words with the character of inspiration. The sermon was touching in its simplicity and earnest pleading. He spoke of the divine Shepherd's gentle, loving care on earth for his sheep, those that were in the fold, and his blessed promises to those that yet were to be gathered within it from the ends of the earth through coming ages. He told of the healing, and feeding of wounded and starving hearts as well as bodies; of the counsels given that brought strength and courage to bear life's burdens and the beatitudes bestowed that kept the lamps of hope ever burning in weary and sorrowing breasts, as the Shepherd walked in life among his flock; of his consecrating his apostles the perpetual guardians of his fold and the missionaries to lead into it out of the passing

centuries the chosen ones; of Holy Church which he said was the never dying shepherd, of its sacred ministry; how it had gone on healing, feeding, strengthening, counseling, comforting and cheering human hearts, and conquering evil and ennobling lives, purifying and perfecting men, and bringing to them happiness where sensual delights but sicken the soul. He appealed to those who wandered without, having no rest in their hearts, to the weary and burdened, to enter its blessed refuge and lay down their burdens and find peace on earth and hope eternal.

"You," and his gaze unconsciously rested on Herman, "whose souls are winged for lofty flights, whose ambition reaches for glorious prizes, whose hearts passionately struggle for earthly accomplishments, who wrestle with angels and fight with devils, can never feel the exquisite sweetness of victory nor reap satisfying joy from conquest, without the inspiration drawn from sacred fires and the benediction breathed by consecrated lips; and if the world bestows failures instead of triumphs, and breaks the wings of vaulting ambition, and the desolate soul wanders among the ruins of its idols, with maybe the demons it fought its mocking companions, there is but one refuge, one resting place, one green pasture where are living waters that renew the spirit — the fold whose shepherd is our Divine Lord."

Martha and Herman walked down from the Mission together. They both appeared to have been impressed by the sermon, and every now and then Martha cast a glance at her companion's serious face. Finally she said:

"You seem very quiet and thoughtful to-day, Mr. Thomas. Is it the spirit of Sunday or the sermon of Father Aloysius, which seemed directed to you restless and unsatisfied ones outside the faith, or have you worldly trouble to worry you?"

"I think all three combined give me a feeling of seriousness and no doubt a long face; I went to sleep last night and awoke this morning in a fit of despondency; but that has been driven away by the services and the sermon, and indeed your sitting beside me, such a picture of peacefulness as well as devotion did me good and helped drive away melancholy; still it all makes me thoughtful. I sup-

pose you regard me as a heathen and an Ishmaelite, with no church or creed?"

"No, I only pity you; for I know you are losing a great deal of consolation and comfort. I have no doubt you will some day be in the fold, and will then be regretting that you were so long without the peace and happiness there are in it."

"Well, if object lessons alone were enough to convert my perverse and worldly heart, I would soon succumb to such excellent examples as you and Father Aloysius. For you are very good and unselfish and do so much good and are very peaceful, and Father Aloysius has to me something of the saint in him. But I am very wayward and my mind is so fickle, and there is such a whirl of emotions within me; and there seem so many sides to every proposition, be it a conceit of the imagination or a problem in logic, that I have not been able to pray or reason my way into any religious belief."

"So you own to being fickle."

"Only as to abstract thoughts and mental fancies. Indeed, Miss Martha, I am not fickle, I am very loyal; sometimes I fear too loyal to friends and benefactors. I am sure there is nothing in the world that would ever make me find or think that I had found in another the same happy, refining influence you have over me."

Martha looked at him, and said laughing:

"Oh, what a foolish, sentimental youth you are! Of course I feel complimented that at the present moment you think I have some good traits and believe that I try to do some good, and I know you are sincere; but how many other young women are there whose influence has been just as happy to your impressionable nature as mine? Have you not told me of this wonderfully attractive woman abroad and that charming Presbyterian girl at your old home; and another lovely creature that threw romance over your law student days? How long do you think it will be before some witching dame comes along, not such an old-fashioned being as I, but with winning graces and charming manners and responsive nature whose influence will quickly replace in your captive heart what little of mine once lurked there?"

"Indeed you do not understand me, Miss Martha," said Herman earnestly. "I admit that I have been charmed with more than one young girl with a sweet face and winning ways, like all youngsters, especially dreamers; but it has always been a play-ground fancy, a diversion of the hour, as it was to the objects, and I look at them as pretty pictures in the gallery of the past; but never before has woman impressed and influenced me as have you. I do not know what impels me to speak of this to-day, unless it be the great need I feel for your sympathy and help; I had resolved not to let you imagine how much you are to me until I had proved my manhood and my ability and achieved something worthy of your admiration. You have come into my heart not simply as a fond object of devotion, but as a companion of my serious and sacred thoughts, as a purifying spirit, as a counsellor and comforter. Can it not be that some day I may cherish this good angel as my own peculiar blessing, part of my life?"

Martha's face had grown very sad; she turned it away from Herman and her gaze for a long time rested on the mountains, and they seemed to look compassionately on her and in their impressive solemnity to direct her spirit to sacred purposes and divine help. At last she turned and said to Herman, with her voice full of deep feeling:

"I wish you had not said what you did. We have been such good friends. I have had so great an interest in your success and happiness. I have followed your career and have always tried to help you and thought that maybe I could advise you in some things where a woman's wit is wisdom. To-day you seemed troubled and I longed to have you tell me what it was, that I might give you at least my sympathy. Now, you will put a barrier between us and take away our freedom of intercourse. I doubt if you know as yet your own heart, and I know that your fancy exalts me above what I am. But we cannot be more to each other than we are now, true friends. It will rest with you whether we remain such."

Herman struggled to control his emotion, but a mist came over his eyes, as he said:

"My reason told me that I could not hope, creature of failure that I am, to realize the greatest of all my human

aspirations; and then I felt it was folly for me to aspire much less to speak when I knew within me that another had won your affections; but the longing was so great it led me beyond reason's dictates."

Martha looked at him with astonishment, and said:

"What in the world do you mean? No man can claim my affections unless it is my dear old father."

"I thought," answered Herman hesitatingly, "that you had a great fondness for Bucknill; you seemed to enjoy being with him more than with any other young man, and you and he were always talking earnestly and confidentially apart from others."

Martha's look of compassion vanished in a hearty laugh.

"Why," she said, "of all the silly children I have met you are the most foolish. Why, of course I am fond of Bucknill, he is one of the nicest of fellows, and I love, as any woman would, to have confidential talks with him, because he talks about his sweetheart, an English country girl, whom this summer he is going over to the old country to marry and bring back to a sweet little home he is planning, and he thinks I am wise enough to give him some advice."

A great sense of relief came to Herman, if he did feel somewhat sheepish.

"I suppose I am a fool," he said, "but I am like all who covet a rare prize. It makes me very sad that you have no thought beyond what you have for any friend. But if I prove myself worthy, may I not still hope to some day win something more from you?"

"No," said Martha, the seriousness returning to her manner; "you must drive away such thoughts. It cannot be. I have not permitted my heart, and indeed it has not been inclined to take into it other than its present loves, the love of father and sister, the feeling of affection to friends and the love of humanity, to all of which are tied unselfish purposes and duties. My dear father needs all my heart can give of affection and devotion, more than ever before. Do you see who are coming down the pathway along the foothills?"

Herman looked where she indicated and saw Anna and Walter Stanley walking together.

"There is an illustration," she continued, "of where my life's duty and devotion point. There may be a sorrow coming to us that will be very hard for poor father to bear and make his declining years very sad, and my life must be for him."

Some little ways in front of Anna and Stanley were Carmelita and Pancho leading his saddle horse. They stopped for a moment while Pancho gathered for her a bunch of brodia. She looked very beautiful in her simple attire and the red ribbons beloved by the natives, and her face with its rich coloring beamed with innocent fun and her eyes sparkled with mischief. As the other couple passed them, Anna slightly in advance, Stanley turned and stared at her, and after they had gone some little distance, turned and looked at her again.

Herman, when Martha ceased speaking, felt as though he had been guilty of something like sacrilege and he said almost remorsefully:

"Forgive me, Miss Martha, for being so selfish in speaking to you as I did. I feel more than ever how superior you are to me. I never will distress you again, in asking you to care for me other than as a friend, unless I know that a time has arrived when it will be grateful to you to have me do so, and I pray that some day it may happen at a time when I am more nearly your equal. We shall remain the same friends, shall we not?"

"Yes, indeed," replied Martha; "and now tell me what is troubling you so to-day."

Herman then told her about his loss in the cattle speculation.

She did not seem to think that this was a calamity that should cause him to be despondent. It might easily have happened to the shrewdest and there was no reason why, so she thought, he should not redeem it in something else. Then he went on to say that it was not the actual pecuniary loss that grieved him, for he bore without chagrin or regret any misfortune that came to him, but it was the conviction that he had no foresight or practical judgment, and that he would always meet with failures; besides it left him in debt. This was not his only loss, he went on to say, but he had made other ventures and all had turned

out badly. Martha said that there was only one rule, she believed, for him to follow: never to let his enthusiasm carry him away and not only to seek and be governed by the advice of shrewd, successful business men, but to touch nothing that such men did not themselves invest in.

Herman recognized the soundness of the advice, but he questioned his having enough self control to follow it in his mad moments. However, his worry about his affairs had been dissipated, but a sadness and dreariness lingered with him during the day and colored his thoughts on his solitary ride the next morning to the La Jota rancho.

## CHAPTER XLVII

### THE RODEO

THE following morning, Herman rode down to Santa Susana where he met Bebeleche and the proposed purchaser of his cattle and made all the arrangements to conclude the deal. He then went on up the valley to the house of his friend, Robert McFarland, and spent the night with him. The La Jota rancho was only an hour's ride from there. On his trip down, a few miles out of St. Agnes, he had passed a gypsy camp and stopped a moment to admire a beautiful horse that had the look of a thoroughbred Arabian, and possessing almost human intelligence. A gypsy whom he recognized as the captain he had seen in Santa Susana the night of the Republican meeting and who at once knew Herman and saluted him politely, was putting the horse through a course of training. A boy, from his resemblance, evidently a son of the captain, was on his back without saddle or bridle. The boy would gallop him at full speed, when the captain would give a loud whistle and the horse would instantly stop; another more prolonged whistle and he would, despite all the efforts of the boy to prevent it, turn and come up to his master. The boy would then direct him in a rhythmical trot through a series of movements, guiding him here and there, circling to the right and to the left, by simply touching or pressing with his whip the one side of other of his neck. The captain would give another and different signal and the animal, which had been as gentle as a kitten, would commence rearing and plunging madly, to instantly resume his quiet demeanor at a different call. Herman as he rode off afforded the gypsy eminent satisfaction by telling him that he had never seen a more intelligent or more beautifully trained beast.

At daybreak the next morning, Herman was off to the scene of the *rodeo* on a fresh horse, borrowed from his

friend Robert. When he reached the La Jota the camp was already alive. A number of horses saddled and bridled were staked out and rancheros and vaqueros were standing about smoking cigarittos and uttering imprecations upon a cold wet fog that rested on the earth and hid from view all objects a few yards distant. A bunch of cattle, gathered in the evening before, were on the *rodeo* ground, and their lowing and bellowing came out of the gray bank like wails from the ocean caves. Two natives were industriously digging a pit to serve as oven and two others had been gathering dead wood to fill it and were trimming staves upon which were to be strung, above the burning pit, pieces of meat from the calf donated by the ranch owner to feed the multitude.

Pedro Castaños, a pack of cards sticking out of one of his pockets, sat upon a log over which he had thrown the blanket that had served the night before as a card table where more than one twenty had changed hands and several had lodged in Pedro's pocket. He evidently had no idea of engaging in the rougher sport of the *rodeo,* but was resting his faculties for a renewal of the less arduous and more profitable game of the night before. His dog Sancho, who had been the instrument of his retaliation upon Brooks for his cavalier treatment, looking ready to take a chunk out of anyone his master might desire to have mutilated, lay at his feet. Herman joined a group of rancheros and stockmen, among them the purchaser of his band of cattle, who were discussing the comparative merits of their saddle horses. The most of them had brought with them an extra horse of superior quality and training for use in the parting out of the cattle, where they vied with each other in the skill and daring of their horsemanship and the strength, endurance and training of their mounts. Bebeleche and a Spanish ranchero, Don Ygnacio de Vaca, whose house Herman had visited, and Señor Ordas took the lead in the display of horses. The first had for the fancy work a strongly built, prettily marked pinto, of medium height, agile and as gentle as a kitten. That of Señor Ordaz was a bay, smaller, with more of the mustang in him, and muscular and active; while Don Ygnacio's was a beautiful satin coated and clean limbed chestnut with more speed

than the others. Each of the animals was finally broken and beautifully reined. A horse fancier arrived as they were conversing, taking advantage, as was the custom with these traders, of the gathering of ranch owners to find a market for his stock. He had with him three or four fairly bred animals that he succeeded in disposing of before the day was over. The advent of the horse trader awakened in Señor de Vaca reminiscences of the olden time in California, when *rodeos* bore the features and possessed the attractions of carnivals, and he and Señor Ordaz spoke mournfully of the decadence of the good old customs that gave so much keen enjoyment to and shed such a coloring of romance upon ranch life. He had not departed from the ways and his *rodeos* were as nearly as possible the grand affairs of former days. He was as punctilious about his dress and that of his steed as he was when a young gallant showing off his horsemanship to the señoritas who in those merry times gave inspiration to ranchero and vaquero. His leggings were of the most beautifully tanned skin, perfectly cut and tastefully fringed; his jacket braided and sash fringed with gold; his sombrero unspotted and banded with tasseled cords of exquisitely plaited variegated horsehair; an embroidered shirt, a neckerchief that any woman would covet for a center piece and a serape of finest wool and brilliant hues. His saddle, stamped in old Mexican designs by the most skilled of the old Mission leather workers, bridle and reins were silver mounted and his bit was a marvel of exquisitely wrought enameled steel, the work of an old Indian taught by a Mission friar. He himself was of aristocratic bearing, straight as an arrow, with a large head covered with gray curling hair and gray moustache.

"Ah, *amigo viejo,*" he said to Señor Ordaz, "the present days are *muy triste,* very melancholy, very tame, very cold; the *rodeo* is nothing more than an uninteresting round-up of cattle, where in our younger days what a grand *fiesta* it was, and what joyous times we had! This señor brings to-day two or three horses to sell. In the olden time it was a great market, not only for fine stock, but you will remember, for everything a ranchero or his wife and daughters might want for a season. How those extortionists of

DON YGNACIO AND SEÑOR ORDAZ

peddlers used to display their wares on gayly colored blankets and in rustic booths, and how the women drained our pockets to buy the finery, and how we packed home for the enjoyment of ourselves and our friends, cigars and tobacco, choice liquors and packs of fresh playing cards."

"Yes, Don Ygnacio," interrupted Señor Ordaz, "and the mountebanks! And *diablita* Teresita! Ah, you remember her, Don Ygnacio, the handsomest black-haired, black-eyed Diana that ever dealt monte on the Pacific. I do not forget how you never missed a *rodeo*, if you did miss many a twenty, when she shuffled the cards. You were many years younger then, *amigo*."

"*Sigura, compadre;* and I never tried my luck that I did not see you, with your beardless face and sable locks, risking your last peso for a languishing glance from Diablita's fatal eyes; and *mira*, look at that *bruto*,"— pointing with disgust to Pedro Castaños, crouched upon his log, with his head nodding and eyes blinking, his mongrel cur at his feet,—"that and his like take the place of such queens as Diablita."

"You are right, *compadre, lastima, lastima*, you are right," rejoined Señor Ordez, "since the gringos have come our greatness has gone."

Here a vanquero commenced to strum on a jangling guitar and he and a companion started up a lugubrious air which they sang in thirds through their noses.

"Listen to that, and think of how Don Guillermo, when there was the flash of youth in his fierce look, and his mutton-chop whiskers and bristling moustache had a gloss upon them — not the blue-black with which the barber now hides the frosts of years — would seat himself on a rocky throne with his noble guitar whose voice like that of an organ, and worthy to be heard at so noble a function as the *rodeo* in the olden time, would echo through the trees, down the valley and up the mountain sides in brilliant marches and waltzes and fantasies, and a chorus of fresh young voices would fill the nights with music."

"And the races! Don Ygnacio; the half-mile races of halfbreeds and the quarter-mile dashes of mustangs."

"Yes, *compadre;* and the cockfights! Out in the great open — not in a back yard among the adobes — out where

nature inspired the beautifully bred cocks that took part in the battles, to fight to victory or to death."

"And then, *compadre*, what pride the vaqueros and *servientes* took in the display of their masters; how jaunty and neat in their dress, and how well groomed were the horses and polished the saddles and bridles. If one like that," pointing to Chapule with his time-stained leggings, dirty shirt and shaggy mustang, "would have appeared at a *rodeo* in those days, he would have been whipped with riatas off the ground."

A bright line at last stretched along the western horizon and quickly pried the fog up from the earth and dispersed it into sky and ocean. The camp was at once a scene of life. The guitar was dropped and the wails of the vocalists ceased; the vaqueros cinched their horses and were off in every direction. Even Pedro awoke and lit a cigaritto, while Sancho stretched himself and yawned. In an hour or two the cattle, wild and tame, fat and thin, commenced to come in bellowing from the different cañons, driven by the shouting vaqueros darting here and there on their mustangs; plunging down precipitous declivities, their horses now and then sinking to their knees into squirrel holes and lifted upon their feet by the alert riders before they could lose their balance; dashing up climbing trails and skirting steep side-hills; winding up and down in the sage brush, the dirt and stones flying beneath the horses' hoofs, heading off each unruly beast and keeping unbroken the band. Into the *rodeo* ground they came in bands of twenty-five and fifty and a hundred. The rancheros, as soon as the last bunch was brought in, mounted their fine horses and the parting out of the cattle of the different owners began. In separating the individual animals of the different proprietors from the common herd, the skill, dexterity and fearlessness of the horsemen — to the spectators — were marvelous. Every now and then an untamed cow would break out and run wildly for its familiar pastures, to be immediately followed by a rider who, if he could not readily turn back the bolter, would dart by it, seize its tail and giving it a twist, would cross the animal's legs and throw it to the earth.

A magnificent steer, the property of Señor Ordaz, fled

THE RESCUE OF HERMAN FROM THE WILD BULL

wildly from the band across country to the mountain side. The owner galloped after it at full speed. A steep barranca in the side of a slope, hidden by brush, crossed the course taken by the animal which it reached as Señor Ordaz was within a few feet of its heels; the earth gave way on the bank and the steer plunged headlong into the crevice. It seemed as if the horseman was doomed; but with lightning effort, he drew his horse back on his haunches — the ground breaking beneath his front feet — threw him to one side and spurred him along the barranca's edge, the earth crumbling off and rattling beneath his feet, working him up the side, until at last sound footing was gained, and galloped cooly back to the band amid the bravos of the onlookers.

Herman had taken a minor part in the parting of the cattle, and finding that his saddle had been slipping forward, he stopped and dismounted to tighten the cinch. As he did so, a vicious young bull maddened by the tumult, broke from a nearby band and rushed at him furiously. He did not realize his danger until startled by cries of "*guardo señor! cuidado muchacho! el toro! el toro!* and his horse tore from him and fled, when for the first time he beheld the bull a few yards in front of him, his head lowered and his eyes flaming. He stood dazed for the time being, not knowing what to do, when the riata of Bebeleche, who had dashed after the crazed beast, swished through the air and caught its forelegs, throwing it to the ground almost at the feet of Herman.

"A close call, my boy," said Don Ygnacio, who was directly behind Bebeleche, ready to act, had he missed; "you did a very risky thing to dismount so near these excited beasts; you never can tell when some one of them will become crazed and break loose with blood in his eye."

After the separating of the cattle the branding and earmarking of the calves took place. All calves following cows were recognized as the property of the owner of the cows they claimed as mothers; the mavericks, or those that followed no cows, according to the laws of the range, belonged to the owner of the rancho where the *rodeo* was held and received his brand and ear mark. Herman re-

marked to Bebeleche dolefully that very few of his cows seemed to have any calves, and those they had already bore somebody else's brand.

The day's work over and having seen Chapule off with his little band, Herman parted with his friends and returned to Robert's house, Bebeleche and Don Ygnacio accompanying Señor Ordaz as his guests. The next day they again met on Herman's range, and held another *rodeo*, and the sale of his cattle was consummated and the stock delivered. In the evening Don Ygnacio, Señor Ordaz and Bebeleche dined with Robert and Herman, and rehearsed, over their coffee and cigars, the events of the past two days. As the moon appeared over the mountain, they mounted their horses, thanked their host for an enjoyable evening and rode away. Before going, Bebeleche tried to persuade Herman to spend the following day with him in Santa Susana, but he declined, saying that important business in St. Agnes compelled his return the next day by the shorter route over the mountain pass. The Basque then drew from his pocket a handsome flask with silver cup, on which Herman's name was engraved, filled with old native brandy.

"Accept this, *amigo*," he said, "as a little token of the good will I bear you, and may it serve you as good a turn as did my riata when it performed its best act in rescuing you from the horns of the mad bull;" and he was away before Herman could express his thanks.

## CHAPTER XLVIII

### HERMAN ENCOUNTERS BUCKLEY ON MOUNTAIN CREST

THE sun had not yet risen when Jim, bowing and grinning, wished Herman a safe trip home after having fortified him with a cup of strong black coffee and some doughnuts and received in return a "four-bit piece," and watched him ride off, his horse fresh and himself refreshed by a good night's sleep. Spring still held its sway, though a soft haze and a faint breath of summer's ardor heralded the near change of nature to the ripened odors and mellow, golden tints of the season of lassitude and loitering and truancy from toil. The low toned matins of the birds, the dark gray sky with a faint glow in the east, the gentle rippling of the little river, the trees and bowlders and ferns, and the mountains looming up out of the lingering shades of night, the stretches of wild flowers in the fullness of their bloom, the glimpses of picturesque vistas through the woodland and miniature cañons stretching out into the valleys — the whole scene awakened from slumber and drowsily awaiting the transit of the sun across the horizon to spring into light and life and energy — charmed the spirit of our dreamer and blended with his thoughts and fancies. They were subdued and serious and in the minor key. Like the mist that rested upon the landscape was the reflection of Martha's response to the expression of his longings that had taken away so much of hope's lustre from his heart. Beneath its shadow his thoughts wandered back through the past — through the varied scenes of his life with their hopes, and aspirations, their brightness and sweetness, and their failures and sorrowings; the faces pictured, the voices that spoke, the figures that moved and the incidents that distinguished them. He thought he could trace a theme through all their broken medley, a theme that threaded its way out of the past among the undefined purposes, uncer-

tainties and inconsequences of the present and was only lost in the mystery of the future. And there seemed to echo back through the aisles and corridors of his life something akin to faintly heard tones of a bell tolling out from the coming years solemnly summoning to a lofty goal. He wondered if there was some mission for him not yet disclosed; if he was being prepared and disciplined for a noble commission. What appeared remarkable to him was how the independent phases of his life which had shifted like the scenes of a drama were linked together by isolated happenings in the one that became shapers of his destiny in others. Some incident that had made its impression on his mind and, finished, had passed away, would under different circumstances and surroundings in a dissimilar act in his life, reappear in its lesson or compelling influence or as a part of a strange, mysterious sequence. He had grown to regard any striking event as happening for a purpose that would some day be disclosed and he was rarely astounded when under strange circumstances his impression was verified. Then, in so many instances it seemed to him that Providence had singularly directed him, against his own will or wayward purpose, away from dangers, and rescued him from evil, and the fact that it was the hand of a higher power was brought so unmistakably to his inner conscience, that his reason could not refute it. In his retrospect, as he rode along, his rescue of poor old Saterlee presented itself to him vividly, as it had often before, with the feeling that it must have some sequel for him in the future, and he wondered what it would be. The features and fiendish expression of the would-be murderer were photographed on his mind and he felt sure he would see his face again, and speculated as to where he was and what scheme of vengeance, if he had any, was stored within him. When he came to that part of the trail where Macdonald and he had leaped the crevice in the dark, he tried to find the spot and succeeded in locating it — indeed, there were traces of the horses' scramble yet unobliterated; and he shivered at the thought of the risk taken in attempting to cross the chasm. He would not have dared attempt it then in daylight alone. Starting to ascend the steep grade to the narrow ridge he remembered his experience the night when

his horse bucked with him; and he stopped and dismounted and tightened the girth. He rested a few moments and let his horse browse on a little patch of wild oats. Then caressing him, to which the horse responded by rubbing his shoulder with his head, he remounted and continued his journey. It was the same horse he rode on that night trip, but master and beast knew each other much better now, and Herman felt safe with him no matter what of extraordinary might happen. He was his own hostler and fed and groomed him. As he reached the crest of the ridge, the sun which had come out in a blaze of glory and dazzled the rider's eyes hid its glare beneath a fleece of clouds that hung motionless in the sky. He approached the spot where the trail widened a little, and where he had dismounted on his night trip. The scrub oaks concealed the trail on either side from view, and anyone approaching from one side could not see one coming from the other direction until the riders were within a few yards of each other. Herman's senses were unusually keen as he drew near this point; he was nervous and impressed with a presentiment of danger. When the trail came into view beyond the trees he saw another horseman approaching. It was Buckley. A rough scraggy beard covered his face which had always been clean shaven since his first appearance in St. Agnes, and he bore the look of a desperate outlaw. As soon as his eyes rested upon Herman a devilish expression came into Buckley's face and he drew his revolver and leveled it at him, each having instinctively brought his horse to a halt. The impression that had haunted Herman since the night he met Buckley in the American Hotel — of having seen him before — in a flash took substance, and he recognized the assailant of Saterlee. Buckley caught the expression of recognition on his face and cried out with an oath, "You know me now, do you? Well, carry your knowledge to hell with you!" and he fired. As the desperado pulled the trigger Herman threw himself to one side the neck of his horse and rushed him to the spot where he had once before reached safety, the bullet whistling over his back. Buckley's horse, frightened by the report and the dash forward of the other horse, reared and swaying to one side came down with his forelegs beyond the edge of the narrow

trail, and horse and rider plunged over the precipice. The shock of his peril and the horror of the fate of the intended assassin left Herman weak and sick, and his horse stood trembling under him. He took off his hat, bowed his head, and thanked God for his rescue. He then remembered the gift of Bebeleche and his wish that it might serve him a good turn, and took a deep draught from the flask. His strength soon returned, and having soothed his faithful horse, he continued on his course. At the foot of the descent from the ridge he met the Sheriff who inquired of him excitedly if he had met Buckley. Herman told him what had happened and they rode into town together, the Sheriff saying that he would send out the coroner and some men for the remains. He then narrated to Herman the circumstances connected with Buckley's escape.

"Both Buckley and Vanegas broke jail," he said, "and had outside aid in doing it. They were furnished instruments to work with, given revolvers and told where to find horses. I am pretty sure in my mind who the head devil was. He doesn't live in St. Agnes, and he's big game; but he isn't too big for me to trail. I left a guard last night, a man I can trust, who never goes to sleep on duty, with my usual instruction to shoot to kill if an attempt was made by the prisoners to escape. About midnight Buckley called the watchman to the jail window, which, as you know, is only fortified with perpendicular iron bars a considerable distance apart, and asked him for a light, as he could not sleep and wanted to take a smoke. The watchman handed him a block of matches through the bars, and as he did so, Buckley grabbed his arm and pulled it through, while Vanegas sprang forward and caught his neckerchief and the other arm and pulled him up against the bars and then lashed him tight, having crammed a handkerchief into his mouth as a gag. They then went to work and dug a hole through the adobe wall and got out about three o'clock in the morning. They went directly to a stable where there were two horses and saddles and bridles and went off with them. Just outside the town Vanegas's animal stepped on a stone and lamed himself badly. This was just near a gypsy camp. He took off the horse's bridle and tied him to a tree; then carrying the bridle with him he crept into

the camp and caught one of the horses of the gypsies and rode off with him. No Indian could beat him at a still hunt and he was slick enough to get the animal without being discovered, but as soon as he started off the dogs woke up. The horse was a fancy one belonging to the captain and it didn't take the owner more than a minute to discover the theft. He ran out and whistled and the horse stopped and came back and commenced plunging violently. It was impossible for Vanegas to control him. He was furious and desperate, and drew his revolver and fired at the captain, the ball taking off a piece of his ear. The gypsy only wanted the excuse to do it, I think, for he seemed to have known Vanegas and had no use for him, and shot him through the heart. So these villains are settled and it saves me a lot of trouble and the people in the neighborhood will feel more comfortable. I know one man who won't do any crying over their graves, and that is your friend Howells."

Herman felt that evening a sense of extreme loneliness and longing for sympathetic companionship, and so fled the uncongenial hotel loungers to whom he had become an object of inquisitive interest and walked down to Col. Morgan's. It seemed to him an age since that gray Sunday only a few days back when his heart lost the radiance and warmth that hope had shed upon his dreams, even though the lamp was often dim and flickering, and it appeared to him as if he were returning from a long absence to a presence he had left a playfellow of his thoughts and fancies, to meet a superior, translated to a higher, remoter sphere.

He was greeted with feeling by the Colonel and his daughters, who were impressed by his changed appearance; he seemed much older and his face wore a deep seriousness. Martha was touched and turned aside after greeting him with tears in her eyes. They had heard of his marvelous escape from death, and told him how thankful they were for it, and through their happy influence the nervous strain he had been under soon relaxed and he recounted the whole story of his connection with Buckley, including the final act of that day. He told of his former trip with Macdonald over the same trail, of his accident on the very spot where he met the desperado, and said that he felt convinced that

only his prior experience and knowledge of the locality had enabled him to act quickly enough to save himself. It seemed to him as if he had been purposely prepared for the desperate encounter. As Herman told the story simply, a tone of deep seriousness in his voice, all trace of his youthful vivacity seemed to have vanished and the listeners were doubly impressed with the appearance of his having grown older by years. Martha sat, her hand over her eyes, watching him intently beneath it, and when he had finished she walked to the door and for sometime stood looking out into the starlight night; and if Herman had been close to her he might have heard the utterances of her compassionate heart: "It is so sad, so very sad. It seems as if he had been robbed of his youth. I wonder if he is very lonely! Why should he have spoken to me just before this awful ordeal? I wonder if I have taken any brightness from his life!"

When he took his departure Col. Morgan and the ladies accompanied him to the gate, and the Colonel again expressed his congratulations for his happy escape and said:

"Cheer up, my boy; you are born under a lucky star, and you will live to triumph over all obstacles thrown in your way, and win what your heart most desires."

After the sound of Herman's footsteps had died away the Colonel said, as they walked back to the house:

"I have grown fond of that boy. There is something in him that attracts me, and much that characterised my own youth. He has a great deal to learn, a great deal to conquer, and no little to suffer; but I believe that he will come out in the end victor."

The words "no little to suffer" kept repeating themselves that night and often afterwards came into Martha's mind.

## CHAPTER XLIX

### WALTER STANLEY SEEKS INTIMACY WITH CARMELITA

MRS. STANLEY was alone in her home, so she supposed. She was seated in her own room on an ottoman in front of a low window adjoining a closet whose door was ajar and had spread upon the window-sill a number of bonds from which she was clipping the coupons. She had taken the precaution to adjust the blind so as to conceal what she was doing from the street. The doorway back of her leading into the parlor was open and the curtains of the parlor window opposite looking out upon the porch were not so tightly drawn that it prevented one, if inclined to pry, from seeing her and her occupation. She had been very much preoccupied with her thoughts that morning and had been sitting on the porch alone up to the time she entered the house and it had not suggested itself to her to guard against spies from that quarter. Her task finished, she placed the coupons in her pocketbook and returned the bonds to a steel fire-proof box that sat on the floor by her side, locked it with a gold-mounted key which she placed in a jewel case in her chest of drawers, carried it into the closet and placed it in a cavity under the floor concealed by a perfectly fitting movable plank. The hiding place had been constructed in the absence of Walter Stanley by Howells on one of his trips to St. Agnes, cabinet work being one of his accomplishments. One other had been present during the occupation of Mrs. Stanley: a harmless spectator — the faithful Timon, who had been lying in a sun-spot in the middle of the floor. Once — at the moment she was gathering up the securities and replacing them in the box — he pricked up his ears and looked out through the open door towards the porch; then seemingly satisfied, he laid his head between his paws and continued dozing until his mistress returned to the porch where he followed her. As she came out Wal-

ter Stanley was coming up the steps. He was in an agreeable mood and addressed his mother pleasantly as he moved her chair for her to a shady place.

"I hardly expected to see you at this hour, Walter; is there nothing up town to distract you?" she said.

"There never is anything but tameness and dullness in this graveyard, and were it not for my speculations and the trips to San Francisco they necessitate, I would become demented. But I do not come now from uptown. I have been at the Morgans."

"If you have been there at this hour, you must have been upon a serious errand. Have you and Anna come to an understanding?"

"No; and what is more, I am tired of it all and feel inclined not to waste my time and attentions any further upon a girl without depth, who doesn't appreciate the compliment. Besides, there is not enough in it; and, as I have recently learned, the dot she would bring is little inducement."

"You do not mean to say she has rejected you?"

"No; on the contrary — and this is the worst of it — she wants to marry me and has given me to understand as much, but says we must wait until some uncertain time in the dim future when she may be able to obtain her father's willing consent, or until he has stepped aside into another world. Now, I have met these delicate old army officers before, and they take a devilish long time dying. I for one believe in quick returns and don't care to invest in indefinite futurities."

"I agree with you," replied his mother, "as to her being shallow, and only wish that it were Martha you had devoted yourself to; for, with all her religious superstition, she is a strong character and without affectation and might help you make some material profit from your own accomplishments. But that is now out of the question, and I suppose could at any rate never have been. But you are mistaken about Anna's dowry. She has a snug little fortune left by her mother in trust."

"Yes, I know that," said Walter; "but it is invested in securities yielding a small rate of interest and she can only touch the income. What I must have is capital; capital to rescue what I have and to build on in the future."

"If all your investments are like your El Roblar Viejo stock, I fear that even capital could not rescue you, as I understand the principal thing it represents is litigation."

"I suppose you mean the suit brought by that meddler Thomas. It will be soon thrown out of court; it is nothing but blackmail. It did, however, block a fine deal with an English syndicate, and I have now less love than ever for this shyster."

"I think you can hardly call him that. It seems to me that he has shown some brains and legal attainments in tying the hands of such an astute lawyer as Brooks, to say nothing of his bringing to his deserts that villain Buckley."

"Anyone can cloud a title by bringing a suit, and as for getting the best of Buckley, it was force of circumstances he had not the planning of. As for business capacity, he has no advantage over me. Everything he has touched has been a pecuniary failure, and from the looks of things, he has made a poorer showing than I in the Morgan household. No, mother, I am not the only unsuccessful one in the world, nor am I the only one that has had to buck against hard luck."

His mother after a few moments' thought, said:

"Walter, Thomas may have been unsuccessful or he may have had hard luck, but I wish your chances for an ultimate winning were as good as his. I do not say this in a disagreeable way. He personally and I, as I have told you before, have little in common, but his industry and the methods he pursues and company he keeps, or rather that which he avoids, will insure him success some day."

Walter bit his lips, but did not reply, and in a moment or two got up and went away. He walked uptown, avoiding the main street, strolling slowly through the principal residence quarter of the native Californians. The house of Señora Valenzuela was on the route. When he reached it, Carmelita was on the porch talking to her mockingbird as she teased it and fed it. If Stanley had no soul he had an artist's eye and was a connoisseur of woman's physical charms, and he stopped and gazed with admiration at this simple, untutored native girl. The beauty of her features, the ease of her pose, the natural grace of her movements

and the liquid tones of her voice would have captivated a more appreciative artist and a better man. She turned suddenly and saw Stanley standing at the gate. He bowed and asked if it was the residence of Señora Valenzuela.

"Yes sir," she replied, without embarrassment, "have you any message for her? I am her daughter."

"I am glad to know you, Miss Valenzuela; I have seen you often and I have felt it strange that in this little community I should not before have had the pleasure of an introduction. I am Mr. Stanley."

"Oh, yes, I know, Mr. Stanley; you are the friend of Miss Anna Morgan. I think I saw you walking with her a few Sundays ago."

"No doubt. We brought letters of introduction from Eastern friends to the Morgans and they are about the only persons here my mother has any intimacy with. She is quite lonely here, and I try in every way to afford her pleasure, and that is why I have called to-day. I want to make her a present on an anniversary that will soon come, and I have been told that your mother makes beautiful drawn-work, and I came to see if she could work me something pretty for the purpose."

"Indeed, yes. No one can make handsomer drawn-work than Mamma, and she will be very glad to do it."

While they were speaking the mockingbird had been scolding and screeching like a parrot. Carmelita turned to it and said:

"You are a very bad bird. Why do you make such noises at this gentleman, he has done you no harm and has not teased you?" But the bird became more abusive than ever.

"You must excuse him, Mr. Stanley; but he takes such ridiculous prejudices, and is very obstinate about it. I knew by his chattering there was some one near that he made up his mind not to like and so looked around and saw you. I do not see why he should dislike you, as before this, it was only bad men like Mr. Brooks and that serpent Manuel Espinosa. You could not well be bad if you are the friend of those good people, the Morgans. You would not harm a widow or orphan, would you, Mr. Stanley?"

"I trust not, Miss Valenzuela; but it might be the other

way. A beautiful fatherless girl might destroy my peace of mind."

"I hardly think that, while there is such a dear, nice young lady like Anna to keep your heart happy. I know of no orphan in St. Agnes half so charming."

Here the inmate of the cage gave a spiteful cat-call.

"Your jealous mockingbird does not think so, señorita," replied Stanley. "He knows, as do others, the peerless charms of his mistress."

"Do you think it nice, Mr. Stanley, to flatter a poor simple *muchacha del pais* in this way? Is it not almost an indignity? You know that the natives have never been away from home, never seen anything of the world and would be laughed at in your cities by your fashionable ladies, and yet you, and all Eastern gentlemen like you, cover us with compliments like the tinsel from our cascarones, and probably when our backs are turned, make fun of our simplicity."

"Not so with me, señorita, I am too proud or too indolent to bestow praise where it is not merited. But am I to believe from what you say that you have never traveled?"

"That is the truth. I have never been outside the County of St. Agnes."

"I can hardly comprehend it with your ease and grace in your intercourse with traveled people. But have you no desire to see the world?"

"Yes indeed, the longing to go abroad and see all the beautiful and wonderful things of the world and meet strange people, and learn how to dress and act so as to be looked upon and treated like a lady by well bred and fashionable men and women is always in my heart. I cannot get it out, and it makes me restless and often cross. I would do most anything that would not be sinful to be able to travel. But I fear," she said with a sigh, "that it will never come."

"Oh, yes, it will some day come. Some prince will discover this sleeping beauty in St. Agnes and carry her away where she can see and have all the lovely things she wishes for. If I could be transformed into such a prince, how happy I would be."

"I am a foolish, ignorant girl, Mr. Stanley, but I know enough to know that you in your flattery are making sport

of me, and it is not nice. I must go in; I hear Mamma calling. If you will tell me the character of work you wish for your mother, I will have it done."

"I will leave that to the taste and judgment of you and your mother. But, señorita, you do me great injustice when you accuse me of flattering you. May I say, *hasta luego*, not *adios*? My short visit has given me great pleasure."

"If you return in a few days, you can look at the pattern of the work and see if it pleases you. *Hasta la vista* then, señor." And she disappeared in the house, and Stanley continued his walk, after receiving a parting vicious salute from the mockingbird.

As Stanley lifted his hat in taking his departure, Father Aloysius came around the corner. He glanced at the young man sharply, bowed coldly as they passed, and entered the house of Mrs. Valenzuela. After a short chat with her mother, he walked out upon the porch with Carmelita.

"I see," he said, "that you have just had a caller."

"Yes, Mr. Stanley; he came to have Mamma make him some drawn-work to give his mother as a present."

"Did he see your mother?"

"No, he did not ask to see Mamma; he left the order with me."

"I have no doubt he made himself very agreeable," continued Father Aloysius, "and paid you many compliments."

"Oh, yes," said Carmelita, laughing and blushing, "he said some very nice things, like the most of these young men from the East, and I told him I knew he was making sport of me."

"I was sure of that. Now, Carmelita, you must not receive compliments from him. If he calls again and talks with you, let it be about nothing than his business errand, and stop any effort he may make towards familiarity, or the forming of an intimate acquaintanceship; a woman knows well how to do this without being offensive. He is not a proper acquaintance for you."

"Father," replied Carmelita, pouting, "you are very strict, very hard on me, trying to prevent my associating with these nice, educated Americans. If Mr. Stanley is good enough to be the cavallero of Anna Morgan, why is he not a proper one for me to be acquainted with?"

"My dear godchild, I am not hard on you and I am not strict with you. When have you ever seen me seek to restrict your innocent freedom with young men of your own people,— with Pancho, for instance, who would rather die than harm you? I advise you as I am doing for your own happiness, to prevent a great sorrow or suffering coming into your life. You do not understand these worldly, fashionable Americans. In your simplicity you believe what they say to be spoken ingenuously from their hearts; or if you think it flattery you regard it innocently intended as pretty speeches to please you. You detect no poison lurking in this gentle breeding and polished address. It is almost impossible for you to distinguish in them the true man from the false. The very fact that Mr. Stanley is recognized by the world as betrothed to Miss Anna Morgan should make you suspicious of the sincerity of any approaches to familiarity with you. Now, my child, you have reason to know how much I have at heart yours and your mother's happiness, and that I would not try to take a particle from you, and so you must view in the right spirit my motive; and you must not think, 'Oh, he is a priest and is over proper in his ideas about these things,' for I know the world and God has conferred upon me the gift of reading men's hearts. Now, good-by, my godchild, and may God keep harm from you."

## CHAPTER L

### ESPINOSA BRINGS BROOKS TO TIME

MANUEL ESPINOSA had remained in St. Agnes since he threw down the gauntlet to Brooks, performing in a perfunctory way his duties as local manager of the affairs of El Roblar Viejo. He spent a part of his time on the rancho and most of it in town. He seemed to want to be in constant touch with Sigismund, who had a wonderfully strengthening influence on his spirit and backbone. The time had come for the settlement of the law issues in the suits in which Herman was interested and the one brought by General Peters. As the judge was related within the disqualifying degrees of consanguinity to the Castaños, he called in a clear-headed Irish American on the Los Angeles bench who decided the principal points in dispute in favor of Herman's contention, but awarded Brooks a temporary victory over Peters by sustaining his demurrer to the complaint on the ground of its uncertainty and ambiguity. The morning after the decision on the questions of law, Herman received a telegram from Howells counseling him to immediately file his suit for Mrs. Valenzuela and serve Brooks with a summons while he was in St. Agnes. This he did at once, as the complaint was already prepared. The same day Espinosa received the following letter from Michael Reese:

"I am in need of a confidential secretary, familiar with the Spanish and English languages, able to carry on correspondence in each and translate legal and state papers from Spanish into English, as well as having had some training in the conduct of commercial affairs. I am informed by a friend that you possess the necessary qualifications and I would be glad to employ you, at a salary, say, of two hundred dollars per month. Let me have a prompt reply, as it is necessary for me to know at once if I can obtain your services."

Espinosa recalled the words of Sigismund and knew that this was the letter with which to assault Brooks, and he immediately hunted him up. He found him in his room at the hotel. He had been reading the complaint in the Valenzuela case just served upon him and his face was very gray and he met Espinosa with his most incisive metallic smile. Espinosa sat down and threw upon the table the letter from Reese, telling him he could read it. Brooks perused it and sat looking at Espinosa a moment or two, his eyes appearing to the subject of their gaze as if they were boring holes into his thoughts.

"And have you decided upon your reply to this offer?" he finally said.

"It depends upon your action what I do. If you settle with me upon the terms I proposed, I shall decline his offer and continue to devote myself to your affairs and endeavor to be of use to you in your litigation. If you decline my offer, or if the settlement is not made and money paid at once, I will place my services at his disposal."

Brooks withdrew his auger-like gaze, arose and walked up and down the room for a moment; then turning to Espinosa, said in a tone that had something of the cocking of a pistol in it:

"Manuel, I had already made up my mind what to do in reference to the exaction you have made upon me, before this letter was sprung by you. But before I answer you, I wish to know one thing. You understand, as well as I, why that skinflint wants your services. He is not in the habit of offering two hundred dollars a month salary for clerical work, but he expects to buy with it your personal knowledge of my affairs. In other words, it is the price of treachery. Are you prepared to accept his bribe and deliver the goods?"

"The offer specifically states the services required. These I am ready to perform. You are, as I often say, most shrewd, Mr. Brooks; but from your intimation, you do not know me yet. I am not a fool, though I have nearly approached being one in your employment. Although I might claim some justification in betraying you, I do not propose to commit suicide by playing the rôle of a betrayer of secrets connected with business, of my employment and

violation of confidence. There is a difference between being a neutral — or an enemy, if you will — and a traitor."

"Well," said Mr. Brooks, "I have decided to give you the sum you demand; and to go further, to obligate myself to pay you half as much more in case you are a favorable witness for me and I win the suits affecting El Roblar Viejo; upon condition, however, that you first answer under oath the questions I shall dictate to you concerning the subjects of the litigation and that these answers I find of value to me."

"Dictate your questions and I will answer them and will swear to them, upon payment of the money," replied Espinosa.

The deposition when made apparently satisfied Mr. Brooks, as he handed to Espinosa a check for the five thousand dollars, and a memorandum of his promise of twenty-five hundred dollars more on the conditions he had named.

Brooks, now anxious to have the cases tried and the cloud removed from the company's title to the rancho, did not put in any dilatory plea, but prepared and filed his answer at once, and, by consent, an early day was fixed for the trial of all the cases in which Herman was counsel. Brooks asked that the ejectment suit against Olivera be first disposed of, to be followed by the trial of the Valenzuela case, and ending with that of Antonio Castaños. Herman made no objection to this; it was in fact the order in which he was anxious to have them tried. Brooks realized that it was of the utmost importance to have the testimony of Peters and Pedro and that it should be strongly in his favor, in both the Valenzuela and the Antonio actions; and, however bitter a pill it was to him, he had reconciled himself to the necessity of paying some cash to obtain it. Because of his attitude in the matter of the railroad subsidy scheme, he had ingratiated himself with one of the large rancheros, who was an ardent and uncompromising advocate of the subsidy, and through him he laid the wires to a compromise with General Peters. The ranchero readily undertook the mission. He saw Peters and his attorneys and pointed out to them the improbability of their being able to recover any substantial amount, if anything whatever,

in the absence of a written contract of employment and stated to them that he felt sure that Brooks, if approached in a proper way, would pay a reasonable sum for what the General had done in his interest. Circumstances were favorable to a treaty with the General, as he had been for some time past devoting himself to the fire-waters and the gaming tables of St. Agnes which had exhausted what accumulation of tolls from visitors to his ranch-house he had brought down with him; and he was not in condition to return to his robber's roost and brave its demons. So he consented to be bought off by the payment of a comparatively small sum in cash and a considerable contingent fee. He settled personally with Brooks, with the intention of letting his attorneys get their dues if ever out of the contingent fund. To his great discomfiture, General Donaldson had anticipated just such a course of action on the part of his client, and, watching his movements, waylaid him after he had received the cash. He suggested to him the propriety of dividing. Peters at first demurred; but upon receiving a dart from his military advocate's eye which had in it something of an incipient cavalry charge — accompanied with the fearful threat that he would sit upon him — with as good grace as possible, disgorged what he claimed was a fourth, but in reality an eighth part of what he had received.

Espinosa was delegated by his master to handle Pedro Castaños. He too was in a condition when he had to decide which of the three alternatives he would be compelled to resort to: begging, borrowing or stealing. When first approached, he assumed an attitude of indignation and scorn at an offer to wipe out with money the insults that had been cast upon him. After due assertion of his dignity and chivalry as a gentleman of noble lineage, he allowed himself to be convinced that he was making no surrender of his pride, and settled upon the same basis as did Peters. When subsequently bantered by Sigismund and his memory refreshed concerning the contemptuous indignities he had received from Brooks, he said, with a malicious look in his eye:

"Señor Sigismund *mi recuerdo muy bien; espere, espere.* I took nothing from him but money he owed me; the reckoning for his insults will come later. *Espere.*"

Having made peace with his witnesses and coached them to his satisfaction, Mr. Brooks returned to San Francisco, leaving Espinosa to watch Peters and Pedro and keep them in the traces until the day of the trial.

Herman had his hands full in the meanwhile preparing his cases, and at the same time fighting the railroad subsidy. He took great interest in the case of El Erizo, and sought evidence far and near as to the original monuments of the ranchos whose lines formed the boundaries of the sobrante, and as to the conferring of juridical possession. He had received a report from Howells which elated him greatly and made him feel confident of winning the other two suits.

A short time after Mr. Brooks' return to San Francisco the following news item appeared in the city papers:

"A fire, insignificant in volume but destructive in effect, broke out in the offices of Mr. Brooks, of Barter & Brooks, which destroyed some valuable papers that cannot be replaced. It seems that Mr. Brooks had taken some documents from his safe and spread them out on his table. While examining one minutely, he absent-mindedly laid down his cigar, the lighted end touching the frayed edges of an inflammable old title paper. There not being light enough to decipher the faint characters of the instrument he was examining, he took it to the window. In a few minutes he was startled by the crackling of burning papers, and turning, he discovered the documents were ablaze."

Espinosa had been in a very nervous condition since he had delivered to his purchaser his sworn statement and seemed to grow more uneasy and restless every day, and it must be said that he received no comfort from Sigismund. The latter had been pitying him for the ordeal he would be obliged to go through on the witness stand. As soon as he read the account of the fire he hurried with it to Sigismund and showed it to him.

"How do you interpret that?" he said. "Do you believe such an accident could happen to Brooks?"

"I do not know; it might. What do you believe?" replied Sigismund; "you ought to know his ways."

"Never," said Espinosa; "this is either an imaginary

fire reported by Brooks, for a purpose, or he made it himself to get some compromising papers out of the way."

"Now, do you not think, Don Manuel, that you are in rather dangerous company? As I have hinted to you before, you may be inextricably compromised by your testimony in the Castaños cases. You may rest assured that your estimable employer will lead you into a trap and make you his scapegoat, if he can. He will not let your holding him up for five thousand dollars go unatoned for."

"It is a dangerous position I am in; I realize it as well as you. But what should I do?"

"Wait until a day or two before the trial, and then leave the country. Take the little capital you have and go to Mexico. With your experience you should be able to build a fortune on it. I would not advise you to do this if I did not know the one you are deserting is the worst enemy you have; and he would cut your throat without the slightest compunction when through using you."

"You are right, *amigo*, and I shall take your advice. Indeed, it would be idiotic for me to appear at these trials. I will leave it to you to keep me advised as how best to safeguard and realize my stock, if you will do as much for one who can be grateful and loyal to a friend as treacherous to an enemy."

Saying which he went away, relieved of the greater part of the dread that had been tormenting him. He returned in a day or two and showed Sigismund a letter he had received from Brooks asking him to come to the city at once. He said in the letter that he had had the misfortune of losing some important papers by an accidental fire in his office; that the incident had caused his eccentric clerk to discharge himself, declaring that he could not afford to remain in an office where fires occurred, and risk his being accused of arson.

"Well," said Sigismund, "you had better go up at once and prove your devotion up to the time you leave him to his fate."

Herman was a passenger on the same steamer that took Espinosa to the city, having been summoned by Howells to a conference. He had, in getting off, been detained by business until the final moment and was the last one to run up

the gangway. When he went to his stateroom he found a considerable part of it occupied with a rifle and shot-gun, fishing rod, a fagot of sticks and umbrella and a huge valise with J. S. in large characters on both ends. Having found a corner for his own bag, he went up to the upper deck to watch the retreating shore and the shapes upon it growing dim and disappearing in the ghostly moonlight, and to indulge the poetry of his melancholy in softened recollection of that gray Sunday and in dreams of the future through which still ran scarcely perceptible a golden thread of hope. As he reached the deck, in addition to the smoke-stacks, a strange figure appeared in the steamer's bow, from which a cloud of gray smoke ascended mingling with the black breathings from the ship's chimneys. On approaching he recognized the person of John Stuart seated upon a coil of rope with his belching pipe in his mouth, feeling his biceps.

"Why, my dear Stuart! How are you?" said Herman. "By what happy circumstance are you aboard? What kind of game have you scented up north?"

"I am not headed for sport," replied John Stuart. "My guns and my rod, like myself, have many dull days before them. No more Sunday shooting or fishing for many dreary days to come. The Governor has declared a truce and sent me a letter of credit with his last bundle of tracts, and I am bound for Liverpool."

"And you were going away without a parting word to your old friends?"

"I had not exactly the heart for it. You see I'm awkward in expressing myself and I don't know exactly what to say to fellows I like when I am going to leave them for good; and I knew I would make a d—d ass of myself, if I let them know I was striking my tent. So I said nothing, packed up, wrote a note to you and to one or two of the other boys and sent them with some of the Governor's most powerful tracts, and came aboard."

"And what have you done with the merry Irish girl whose heart you were wont to thrill with the sweet notes of 'Kathleen Mavourneen'? Have you filled the void in her heart with a P. P. C. card and your Governor's tracts?"

John Stuart gripped his biceps viciously, and sent forth a volume from his meerschaum that for a moment screened

the moon from view and cast a shadow on the deck, and growled from the cloud that enveloped him:

"She ran off with a long-legged, brindle-headed Missourian who couldn't tell a cow-bell from a cornet or an Irish ballad from an Indian warwhoop and was married by a camp-meeting howler. And she had the impudence to write me that out of affection for me she had presented the preacher with a bundle of my Governor's tracts."

## CHAPTER LI

### TRIALS OF EL ROBLAR VIEJO CASES BEGIN

THE evening before the trial of the first of the series of suits affecting El Roblar Viejo Rancho, Sigismund and Herman dined together. The latter was in excellent spirits. He had come back from his interview with Howells elated over certain evidence the detective had been able to secure for him and was satisfied with his work in the preparation of the cases. Sigismund was wonderfully pleased with his own accomplishments in what he termed the pursuit of the freebooters. He had taken no small part in the inquisition of Herman's witnesses and had been of great assistance to him. At the same time he had devoted himself to disabling the witnesses on the other side. He had deviled the life out of Pedro, congratulating him upon his Christian charity in swallowing his pride, forgiving Brooks and becoming his servant once more; and advised him in the presence of Gen. Peters to make his noble sacrifice complete by kissing in public the hand that Sancho had impaled with his teeth. He also told Gen. Donaldson confidentially that it might be well for his own reputation, as he had acted as attorney for Gen. Peters, to caution his client about reckless talking on the witness stand, and advise him to refresh his memory and weigh his words well when questioned about any written instruments he had to do with; that several traps had been set and he might get his head in one of them. He had done all this so quietly, so shrewdly, so diplomatically, that even the cunning of Brooks had not detected him in giving aid to the enemy. In fact he thought that Sigismund had swallowed the bait thrown, in the shape of an offer of employment at a good salary by the company which proposed to buy El Roblar Viejo, and that his efforts would necessarily be with the company's interests, to free the property from clouds that obstructed its transfer. The two friends had

fled the publicity of the St. Louis and chosen for their *tête-à-tête* dinner and confidential talk, a snug room in a little restaurant just opened by a Frenchman with a hooked nose and jet black moustache and imperial who could have posed for the portrait of Napoleon III. As they drained the last drop of their chartreuse and lit their cigars, Herman said:

"Suppose we take some of our good spirits to Señora Valenzuela and the fair Carmelita, and brighten their hopes for the success of the coming contests. It is not yet too late for a friendly call."

Sigismund expressed his pleasure at the proposal, and they strolled over to the Valenzuela home. As they drew near, they heard the voices of a man and woman in conversation and recognized them as Carmelita's and Stanley's; and, in the surrounding stillness, their words could be plainly distinguished:

"I fear, Mr. Stanley, you are a great flirt — that you have had many *novias;* that you soon tire of one, and then find another and tire of her; and you repeat the same pretty compliments to the one that you make to the other. You need not think that I take in earnest what you say to me. I am too wise for that, if I have not seen anything of the world," said Carmelita.

"Indeed, I do mean every word I say, Señorita Carmelita, and I will show you how devoted I can be. And you will learn to know that when I say that there is no one here whose charms compare with yours, whose natural grace is so exquisite and beauty so refined, it comes in sincerity from my heart. You will find that there is nothing that I will not do to give you pleasure," replied Stanley.

Here they discovered Sigismund and Herman approaching, and Stanley said good-night and abruptly took his departure and Carmelita ran into the house. Señora Valenzuela had not retired, and received her guests with a gentle welcome. The hopefulness of Herman about the case and the prediction by Sigismund of success brightened her and brought life to her face and spirit to her conversation.

"But, my dear Miss Carmelita," said Herman, "you must beware of Mr. Stanley. He is not our friend. I noticed he was talking with you as we came up. He is

in frequent confidential conferences with Brooks and holds what was Pedro's share of the Company's stock. You must not confide anything about the case to him. Rest assured he would repeat it to the other side."

"You do him wrong, Mr. Thomas," replied Carmelita, evidently piqued at Herman's words. "He has offered to do anything in his power to help us and said that it was a great wrong for the Company to try hold our interest."

"I beg of you not to trust him. I have evidence that he is giving aid to the enemy. But even if I am mistaken, I urge you to be prudent and tell him nothing. You will then be safe."

"I have cautioned Carmelita," said her mother, "to have no intercourse with this gentleman. I do not like his appearance. He does not seem sincere. He has been very kind in purchasing at a good price some of my work, and is pleasant in his address; but I do not wish Carmelita to receive any attention from him, and I do not like his calling upon her. She, however, thinks I am old and prejudiced and know nothing about the ways of American young men."

"Indeed, Miss Carmelita," said Herman, "your mother is right in this. I know she is."

"I shall say nothing to him about our case," replied Carmelita rather curtly and then excused herself and left the room. Herman and Sigismund went, after leaving Señora Valenzuela, to the St. Louis. On the porch they saw Stanley and Espinosa in earnest conversation.

"I wonder," remarked Herman, "if Carmelita has been foolish enough to tell Stanley anything about her case; although what she knows is very little and no more than what Brooks probably is aware of."

"Have no fears," said Sigismund. "There is one thing certain, you will not be hurt by Espinosa and what of ammunition he may have."

The trial of the ejectment suit against El Erizo consumed the following day. Brooks rested upon the final survey in the patent, and claimed that it could not be questioned or gone back of. His principal witness was the United States deputy surveyor by whom it was made, and who testified that the land claimed by El Erizo was within its boundaries. Upon cross-examination, he admitted that

in locating the Piedra Pintada, a monument called for in the original grant, he had been guided by the evidence of Pedro Castaños and one or two others, and that another rock similar in color which he was questioned about, taken as the monument, would make the survey more nearly conform to the original *diseño*. Herman contended that the grant and accompanying *diseño* or plat referred to in the patent could be considered, in the ascertainment of the lines of the rancho; in which the court sustained him. He proved the custom to display springs and water sources on *diseños* of colonization grants — there being no evidence of such on the *diseño* of El Roblar Viejo Rancho,— and produced one of the witnesses present at the juridical possession given to the original grantees of the rancho, who declared that the rock described in the final survey was not the Piedra Pintada called for in the grant; that the rock contended for by El Erizo was the true monument, and that the disputed territory was not included within the lines of the land of which juridical possession was given. A number of other witnesses, old residents, testified that the monument designated in the final survey was not the Piedra Pintada referred to in the grant and that the tract in question had always been recognized as belonging to El Erizo and his predecessors, as owners of the sobrante grant and had always been in their possession. Pedro Castaños' evidence was anything but satisfactory for the plaintiff. While holding to his former statement that the monument pointed out by him to the surveyor was the true Piedra Pintada, he gave no other reason for it than it was his impression and that of one or two other natives, who weakly corroborated him, that such was the case. His attention had never been drawn to the question of its location in reference to any controversy as to lines until the present suit and he simply knew it as a land-mark bearing the name. The case lasted during the day and was submitted without argument, the judge reserving his decision. Brooks, as he walked with Espinosa to the hotel after the trial, was extremely distrait, and Espinosa detected the anger hidden from observation of all but those who had felt its stinging darts and waited to see it vent itself. Suddenly he turned to Espinosa and said:

"Fine witnesses you produced in Pedro and his weak-

kneed associates. You must feel proud of your work. Any loafing greaser could have groomed them better; and yet you bragged of having made of Pedro an obedient peon that would do and say anything he was directed."

"Well, did he not stick to his story about the monument?" replied Espinosa.

"Yes, but in such a way as to convince the judge that he was either lying or did not know anything about it. His manner, to me, had all the signs of sullen treachery, and I do not trust him in to-morrow's case. You must see him at once and impress upon him the importance of his being positive and aggressive in his testimony concerning the execution and delivery of the deed of Don José to the company and the surrounding circumstances. Tell him that you will buy my obligation given him as a contingent fee the moment the trial is over, if his evidence is of the right kind. You must know, Manuel, that to-morrow's fight will be no child's play. You have seen the thoroughness with which Thomas had prepared and tried to-day's case, and you can rest assured that he has given greater work to what is to come. Mark this, too; your own reputation as well as your pecuniary profit depends on your own words and attitude on the witness-stand."

"I know pretty well what to-morrow's battle means," said Espinosa quietly, "and I am not so much alarmed as you about it. My testimony will not weaken the case for you, be assured of that. I have my wits about me and know almost as well as you how to protect myself."

The steamer south from San Francisco to San Diego came into St. Agnes that evening after dark, and Herman was on the wharf to meet a party he was expecting from the city. He had beckoned him to one side as soon as he landed and the two stood where they were least observed, waiting until the passengers had disembarked and gone up town, before they left the wharf. As the boat was about to return to the steamer, two persons came up to the gangway; the one Herman recognized as Sigismund; the other, who was muffled in a long overcoat with the lapels drawn over his neck and a slouch hat pulled over his eyes, he did not at first know.

"Good-by, old fellow; *bon voyage* and good luck. You

will be sadly missed, not only by your friends, but oh, how deeply, by one who has no love for you."

"*Adios, amigo,*" was the reply. "Many thanks for your wise counsel and all you've done for me. I shall not forget it." The voice was Espinosa's.

## CHAPTER LII

### A DRAMATIC FIGHT AND WATERLOO FOR BROOKS

THE following morning as Brooks sat down to breakfast, a note was handed him. It was from Espinosa and was to the effect that he had gone out on an important matter connected with the day's trial, and would be on hand before the time he was needed.

Great popular interest was taken in the trial. Brooks had cunningly created a prejudice in his favor among the advocates of the subsidy, many of whom honestly believed that it was an attempt on the part of the heirs to get back without restitution what had been sold in good faith by their ancestor and paid for. Besides, he had the reputation of being an astute and adroit lawyer and many were curious to witness his conduct of the case. On the other hand, the sympathy of the native population, especially of the better and more substantial class was with the plaintiff. The consequence was that the courtroom was crowded. It took no longer than half an hour to present the plaintiff's case. Herman introduced the patent of the rancho and deraigned the title from this source to Señora Valenzuela of one-third the rancho, except the portion granted to Brooks as compensation for services, and then rested his case. Mr. Brooks opened the defense by offering in evidence a certified copy from the records of the deed purporting to be from José Castaños to El Roblar Viejo Company of his interest in the rancho. This was objected to by Herman, who demanded the production of the original, he having previously served notice on the attorney to produce it. Brooks then offered to prove the loss of the original and himself took the witness stand. He testified that the deed, after its execution and recordation, had been delivered to him by Manuel Espinosa, the secretary of the company; that he placed it with his other papers of value in his office safe, where it had remained until recent date. He then re-

lated the incident of the fire and the destruction of certain instruments about as it had been reported in the newspapers. After which he produced a charred piece of legal-cap paper that he said was what remained of the deed. Nearly all the body of the instrument was preserved, but the attestation clause and the signatures and notary's certificate were apparently destroyed. Herman examined him closely about the deed, its execution and the condition it was in when he received it. It was in Spanish, and according to the formula of the old Spanish conveyances, except that certain words and phrases that made unquestionable the transfer of the fee, with covenant passing after acquired title, had been inserted. The witness stated that Espinosa had prepared the deed, as he had informed him, under the direction of Don José Castaños. He had not seen José Castaños sign it, but knew his signature and rubric and was sure that the signature on the deed was his. That the deed when delivered had been witnessed by Pedro Castaños and Gen. Peters, who subsequently acknowledged it before a notary. When asked if he personally knew it to be the deed of Don José, apart from his belief that the signature was his, he said that he had had a conversation with Don José immediately after receiving the deed and sending him the stock in the company, its consideration, and that the old man had said that although he had hesitated at first to convey his interest, he was satisfied with what he had done, that it was for the best. This conversation was had while Don José was alone, seated on his porch, immediately before he took to what proved to be his death-bed. Herman then examined him minutely about the remnant of the instrument he had produced, asked him if he was sure of the handwriting being that of Espinosa. He declared that he believed it to be. "But Mr. Espinosa can testify as to this himself," he said. In reply to questions in reference to the fire, its origin, and his discovery of it, and what other instruments were destroyed, he repeated his testimony in chief and refused to name the other papers, claiming that they were private documents not connected with the business of El Roblar Viejo Company. He said that the fire occurred after office hours; that there was no one except himself present, and that the outer office was vacant.

"Now, Mr. Brooks," said Herman, "you are positive that the paper you produce here is the mutilated deed you say was executed by José Castaños and witnessed by Pedro Castaños and Gen. Peters?"

"I am positive," he replied.

"And you are equally positive," continued Herman, "that the signatures and attestation clause were burned off accidentally by a fire which originated without your knowledge or aid?"

"I am," he said.

"That is all," said Herman.

Brooks had during his testimony cast more than one glance over the audience, and when he left the stand he asked the sheriff to call Manuel Espinosa. The sheriff called the witness inside and outside the courtroom and finally reported his inability to produce him. Mr. Brooks then called successively Gen. Peters and Pedro Castaños. Gen. Peters said he had a slight recollection of his having witnessed a deed of the character referred to, but it had not impressed itself upon his memory and he was not sure whether or not he had seen José sign his name; as he was familiar with his signature, he might have witnessed it without having been present when he executed it. If he were able to examine the signatures, his mind would doubtless be refreshed and he could testify more positively. Pedro took his cue from Gen. Peters, and his evidence was not more satisfactory. He said he was familiar with his brother José's signature and would not have witnessed it, if he had not believed at the time it was his; that he had not been present when the deed was signed by José.

"You say," said Herman, "that you believed at the time the signature was that of your brother; did you afterwards from further examination, have reason to doubt it?"

"*Quien sabe,*" replied the witness, shrugging his shoulders, "*no mi recuerdo bien.* I do not remember very well; it is some time ago. If I saw the signature I could quickly tell."

Mr. Brooks then had Espinosa called again, and on his failure to appear, requested of the court the privilege of taking his testimony later, at the same time asking that the instrument be admitted in evidence, subject to subse-

quent ruling of the court. Herman, while consenting to the taking of Espinosa's testimony out of order, objected to the introduction of the certified copy of the deed, stating that he had evidence to offer on the issue as to the making of the pretended deed and its subsequent destruction. The court directed him to proceed with his proof. Herman examined Señora Valenzuela, Carmelita and Father Aloysius, and proved by them the attempt made by Espinosa to have Don José convey his interest, during his last illness and just prior to his death, and his emphatic refusal to part with it. They also told of interviews between the three brothers, when Pedro and Antonio had sought without success to induce their brother to take the same course as they had taken and convey his share to the company in exchange for stock. He then called Gen. Peters.

"General," he said, "your recollection is a little dim about the transaction concerning which you have been examined on behalf of the defendant. I think I may be able to refresh your memory. Have you ever seen this certificate of stock?" handing him the certificate of the shares in the name of José Castaños.

"Yes, sah; that certificate was in my custody, until sometime since, when my recollection is I handed it to you with some other private papers which concerned my interests."

"How did you originally obtain possession of it?"

"It was given to be, sah, by Mr. Brooks, after I had witnessed the signature of José Castaños, with the request that I hand it to Don José."

"Did you comply with this request?"

"No, sah, he got out of my reach. He died the next day."

Brooks did not risk a cross-examination.

The testimony of Herman's witnesses did not seem to make any particular impression upon Mr. Brooks' nervous system or cause him any irritation or alter his keen, cold, crisp method of interrogating the witnesses. There was a pause for a few minutes after Gen. Peters left the stand. Herman was examining intently the charred deed and seemed to be unconscious of the passage of time, until aroused by the court who directed the counsel to proceed

with the trial, when he turned suddenly towards the audience, saying, "Call Mr. Squiggler."

For once Mr. Brooks lost his self-possession and betrayed his feelings. His face grew gray, his mouth twitched and the cynical smile turned to furrows in his cheeks and he darted a venomous glance at the figure that arose from a seat in the rear of the auditorium where he had sat during the trial unobserved, his presence not having been detected even by the lynx eyes of his former employer. Indeed, one had to look twice to recognize Mr. Brooks' former clerk in the stylishly dressed gentleman who walked up briskly and took the oath and seated himself in the witness chair. The little hump had disappeared from his back, his figure was erect, a blonde moustache graced his upper lip, and his features had lost the comically set expression that characterized them in the chambers of Barter & Brooks.

"State your name, residence and calling," said Herman.

"The name I received from my parents in England is Victor Beaumont; the name I have borne during my sojourn in this country is Jacob Squiggler. I am at present a resident of San Francisco. I am a trained accountant, scrivener, hand-writing expert and correspondent in several languages, and have been for a number of years prior to coming to California acting as detective for prominent banking institutions and commercial houses in London. For the past year I have been in the same employment in San Francisco."

"Do you know Mr. Brooks, the counsel for the defendant?"

"Yes, I was his clerk for nearly a year."

"Please look at this paper," handing him the remnant of the deed, "and state whether or not you have seen it before, and if so when and under what circumstances."

"Yes, it is the remnant of a paper that was in Mr. Brooks' safe for a little while," answered the witness.

"Tell all you know about that paper, and the circumstances connected with its mutilation."

"The paper was a fac-simile of what purported to be a deed of José Castaños to El Roblar Viejo Company. It was written by me and placed in the safe of Mr.

Brooks in place of the original which I withdrew, and have now in my possession. Before it was partially burned it would have been difficult for anyone not an expert to have distinguished it from the original. By holding it to the light, however, you will see that the watermark of the paper is a date subsequent to the making of the original instrument. I withdrew the original, first for examination to determine whether or not it was a forgery; but after the suit was brought by the heirs of the grantee for the recovery of the property, I knew that Mr. Brooks would not risk its appearance in evidence and would take some means to dispose of it. So I made this copy and retained the original. I also kept close watch upon his movements. I had rented through another the rooms above the offices of Barter & Brooks and had cut holes through the floors and the ceiling beneath, concealed from notice, giving me a view of the offices and enabling me to hear and see what transpired in them. The evening of the fire, I followed Mr. Brooks as he went to his office, and took my place at the observation point overhead. He looked into each room, locked the door of the main office and then locked himself in his private room. Having drawn the blinds, he lit the gas over the center table, opened his safe, selected some papers from it and took them to the table. He burned several documents, lighting them at the gas jet and holding them until they were nearly consumed and then letting them drop upon the table where they burned out, scorching the baize cloth. The copy of the Castaños deed was the last he set fire to. He used considerable care about this. He opened it and ignited the corner where were the signatures and after it was partially burned, he extinguished it and then held it over the smouldering remnants of the other papers until it was discolored by the heat and smoke."

Here the witness paused, while he took from his pocket a large wallet, opened it leisurely and produced from it a paper. During his recital there was a profound stillness in the room. As he ceased speaking, the judge, whose eyes had been fastened upon the witness, turned a scorching glance upon Brooks, in which seemed mingled amazement and contempt. The latter, who had been sitting like a statue apparently unconcerned, caught and comprehended

the look and turning suddenly to Herman, said deliberately, but with a quiver of passion in his voice, while his face became livid:

"And so it required a spy, a cracksman and a forger to construct a case for you. I denounce you as a criminal conspirator, a burglar, a forger; and I shall prosecute you as such." Here the witness turned to the judge and said quietly:

"Mr. Brooks is under a wrong impression, quite naturally. While I was in his employ, Mr. Thomas only knew me as his clerk. He had nothing to do with my engagement as a detective, and did not learn of any of the facts I have related until quite recently and after I had left Mr. Brooks' service. I came from England at the solicitation of Mr. Howells, the distinguished California detective, and have acted with him in the endeavor to unearth certain frauds affecting large business interests. The matter of this deed was an independent thing which I attended to as a personal favor to Mr. Howells. The facts when related by me to Mr. Thomas in the presence of Mr. Howells were as great a surprise as probably they are to the court."

The judge glanced at Herman, who arose and said that what the witness had stated was the absolute truth; that while Mr. Howells had volunteered his services in finding evidence for him, he had been ignorant of the steps he had taken to procure it until just before the trial.

"Although," he continued, "the result shows that almost any means were justifiable in uncovering such rascality."

The witness handed Herman the paper he had produced, saying that it was the original deed he had taken from the safe. After having shown to the satisfaction of the court that from training and experience he was a qualified expert in handwriting, Herman examined the witness touching the signature to the instrument. He showed him a number of signatures of José Castaños which he said he would identify later by competent witnesses, and Beaumont declared emphatically that the name signed to the deed was not written by the one that had written the other signatures, and pointed out clearly to the court unmistakable differences.

He also said that the signature was not made by the party who wrote the body of the deed.

"Do you know from familiarity with the handwriting of any other person, who wrote it?" asked Herman.

"Yes, I think I can say who wrote it."

On the objection of Brooks the witness was not allowed to state who was the signer.

Brooks' cross-examination only made more damaging the witness' story. He sought by adroit maneuvers to ascertain how extensive was the detective's knowledge of the contents of his safe and if he had abstracted or tampered with other papers or if he knew what instruments had been burned. The court, however, sustained the objections to these attempts, and confined the witness to the circumstances connected with the deed. Herman next identified as signatures of José Castaños those shown to Beaumont, and then called Gen. Peters who identified his signature as witness to the deed. He said he remembered then that he had not seen José sign the deed, and while the signature resembled José's, he would not be positive about it. Pedro, on being recalled, declared that the deed shown to him was the one he had witnessed and that his name as witness had been subscribed by him. On being requested to examine the signature of the grantor carefully and state his opinion at the present time as to its authenticity, he said that he had been mistaken when he witnessed it; that it was not the signature of his brother José. He then called attention to the rubric, which was a broken pigeon's wing, and pointed out in the veritable signatures a little flourish resembling a heart that appeared in the joint of the pinion, and which did not appear in the deed.

"This is positive proof," he said, "that José did not sign the deed himself, as he often referred to this little characteristic hardly noticeable, as making it difficult to imitate his signature."

The noon hour having arrived, the court here took a recess until afternoon. Brooks gathered up his papers and walked towards the hotel. No one offered to join him. No one spoke to him. As he turned suddenly to avoid a group of natives, among whom were Pedro Castaños and El Erizo who stood on the sidewalk blocking the way,

and staring at him, he trod on Pedro's dog who snarled and bit at him viciously. The spectators laughed. Arrived at the hotel, he inquired of Latour if Espinosa had been there. Latour had not seen him since the evening before. The driver of the omnibus, having overheard the inquiry, informed the inquirer that Espinosa had gone off the night before on the steamer bound for San Diego. Brooks stood for a moment or two as if dazed, his hand clutching the corner of the counter, his face drawn and livid. Then he called for brandy. He poured the glass full and drank it, and refilled and emptied it. He then directed that a luncheon be sent to his room, where he retired and remained till court again convened.

When the judge opened the afternoon session, Mr. Brooks was in his seat, calmly arranging his papers, without a sign of nervousness or annoyance displayed on his features or in his manner. He arose and made an application that the case might be discontinued, owing to the absence of Espinosa, which was a surprise to him. The judge asked if he had been subpœnaed as a witness and, on his replying that he had not taken this precaution, as he had volunteered his testimony and was a party in interest, denied the application. Brooks, without any show of annoyance, took the stand again and denied positively the declarations of the detective in reference to the destruction of the paper by his own hands. He then endeavored to establish adverse possession by the company, under the deed, after which the case was submitted; Herman offering no further evidence, confining himself to briefly calling the court's attention to the fallacy of this special defense, as the company's possession was but the possession of its co-tenant and that the U. S. patent created a new right in the plaintiff that had not yet been barred by limitation. The judge immediately gave his decision in favor of plaintiff and called the case of Antonio Castaños. Brooks sought to have this case continued on account of the absence of Espinosa and presented strong grounds for his motion, which under ordinary circumstances might have prevailed.

"Mr. Brooks," said the judge, "by what process and within what time do you imagine you could produce the testimony of Mr. Espinosa? The affidavit of Mr. Sigis-

mund, presented in opposition to your motion, shows that this party is on his way to Mexico and that he went purposely to escape the ordeal of these trials, and we must say that we are not astonished at his flight. I will not be so unjust to the plaintiff who is present with his witnesses and whom delay may grievously prejudice. Proceed with the trial."

The trial of Antonio's case showed such wilful and deliberate misrepresentation, deceit and breach of confidence on the part of the representatives of the company, and the consideration for the conveyance of his interest was so grossly inadequate, that the court gave its decision, as it had done in the Valenzuela case, at once, from the bench, in favor of Antonio. He then said that he had considered the case of the company against Juan Pedro Olivera, and rendered judgment for the defendant.

## CHAPTER LIII

### STANLEY'S TREACHERY TO MRS. VALENZUELA AND CARMELITA

HERMAN'S achievements in the El Roblar Viejo suits brought him no end of congratulations and praise. The natives exalted him as a hero; his own personal friends showed more keen pleasure than he allowed himself to exhibit, and Sigismund was wildly elfish in his demonstrations of joy. He was deeply touched by the tearful thanks of Señora Valenzuela and the gratitude of Carmelita, as well as by the earnest expressions of sympathetic appreciation from Father Aloysius. If a strain of sadness was awakened by them, the sweet words of Martha brought greater satisfaction to his heart than all other commendation:

"I felt, Mr. Thomas, that the day would soon come when your talents and force would assert themselves in an achievement with more than the price paid in failures, misfortunes and disappointments, and it makes me very happy that I was so good a prophet."

Sigismund immediately took Mr. Beaumont under his wing. He was carried away with admiration of the detective's demoralization of Brooks and the skill and talent he displayed in bringing it about. Besides he was a congenial spirit and he was eager to contribute to his amusement while he remained in St. Agnes. He planned and carried out with brilliant success, as a celebration of Herman's triumph, a reunion at the Wienerhalle where the choice spirits and jovial fellows among his friends — including the Baron — with the aid of Mrs. Beaumont, filled an evening with soul refreshing merriment that eclipsed the most brilliant symposium that ever created delight within the mirth provoking walls of Old Taps.

Past the rendezvous of these merry-makers, along the darkened alley, his head bowed upon his breast, his hands tightly clenched, a red flush, as if painted, on his livid

cheeks — the only sign of the heavy draughts of fiery spirits with which he had sought to calm the flames of passion within him — the peals of merriment and strains of music carried to his ear, taunting him, walked the exposed, beaten and shamed robber of the simple and helpless. His way led by the court house — the scene of his degradation, past the jail whose bulging, barred windows seemed to mock him, to a clump of live-oaks a little distant from the court house, where he found Walter Stanley awaiting him. After an earnest conversation, they separated, returning to town by different routes. As they parted, Brooks said:

"If you succeed, not only will I pay you this cash fee, but will make your fortune."

Herman's victory over Brooks brought him no immediate pecuniary profit, and his debts became an Old Man of the Sea. His work had been trying and a strain upon his nervous system, and it had become a habit with him, when exhausted, to renew his strength with stiff glasses of brandy at Old Butts' retreat. The spirit was medicine to him and the only thing that soothed his nerves, allayed his fever and brought sleep.

Yet, with all his mental distress, these triumphs were a source of pleasure to him; for a long time they kept coming into his thoughts and brought him satisfaction and courage. They were, however, succeeded by months of uninteresting work, little remuneration and worry over his financial condition.

Brooks had immediately taken initiatory steps to appeal the three suits, asking no favors of court or counsel as to the granting of additional time, but apparently desirious of pushing the appeals as rapidly as possible. A short time after he had perfected the necessary proceedings, Herman saw in the newspapers that he had gone East, and a little later that he had sailed for Europe. He subsequently learned from Howells that the stealing through a forged conveyance of an interest in El Roblar Viejo property was only a part of his rascality that they, Howells and Beaumont, had unearthed, and that he had put in safe custody and out of the way of seizure all the funds and property he could and gotten out of the way of criminal prosecution.

A couple of weeks after the trials, Antonio Castaños called upon Herman and said that he had been interviewed by Walter Stanley who had offered to procure for him a settlement with the company; first stating that he was pretty sure of getting him five thousand dollars, and afterwards raising this to that amount, in addition to that which he had borrowed from Brooks and repaid him.

"And what did you tell him?" asked Herman.

"I told him that I did not wish any money, and would be afraid to take any from Brooks, for fear it might have been stolen; that I wanted my land, which the court had given to me, and I was not afraid of any other court taking it away from me."

"Bravo! Don Antonio, that is the true spirit," said Herman; "and you need have no fears. Brooks can never have reversed the judgment in your favor."

While they were conversing, a boy brought Herman a message from Señora Valenzuela, requesting him to call upon her.

"I have no doubt Stanley has made some such proposition to the Señora as he made to you," said Herman, "I would be glad if you would accompany me to her house."

Don Antonio expressed his willingness. On the way they met Father Aloysius, and Herman requested him to be of the party, saying that it might be important to have his presence. Carmelita met them on the porch, not with her usual frank, childlike way, but with an awkward restraint, that brought a sharp glance from Father Aloysius. She ushered them into the living-room where Señora Valenzuela was sitting, and who welcomed them cordially. After they were seated, she said:

"Indeed, I am glad that you three good friends and advisors should call at the same time, for we can now have a council about a matter that has been proposed to me. Carmelita has brought me a proposition that we compromise our suit with El Roblar Viejo Company. She says that we could get seven thousand five hundred dollars cash for our interest."

"May I ask you, Carmelita, who has proposed such an offer?" said Father Aloysius.

Carmelita turned red, and looking on the floor, said:

"Mr. Stanley said that he was sure that he could get that for us."

"You need not have asked her," said Antonio, "who had the impudence to make such a proposition; it could have been no one but that scoundrel who is a big tool of Brooks as ever were Galindo and Espinosa. He made the same offer to me and received a pretty sharp no. Now, how much do you think your mother's interest in the ranch is worth?"

"I don't know," said Carmelita. "But I know this, that it may be a couple of years anyway before we can get it, if we win at all in the higher courts; and Mamma and I are kept working hard all the time, and we cannot have what other women in St. Agnes have; and seven thousand five hundred dollars would make us very comfortable."

"And what is to be said as to Mr. Thomas, who has made it possible to make a compromise?"

"Mr. Thomas has always let us believe that he was working for our welfare and happiness, and I understand that five hundred dollars would be a good fee for Mr. Thomas' work."

"Your own heart, my child," said Father Aloysius, "never prompted such reasoning. It comes from another and one who is not a good and honorable man."

"Let me tell you, Carmelita," said Antonio, "the seven thousand five hundred dollars, if your mother let you have it — even if you did not do what is right and according to agreement with Mr. Thomas — would not last you the two years you say the case may last, if you expect to run a race with the American women and have this man who now seems to be your friend and adviser help you to spend it. Your mother's and my interests in El Roblar Viejo are worth from fifty thousand to one hundred thousand dollars each. Another thing, I am not as smart as your Uncle Pedro, but it does not need much sharpness to see that Brooks' offer for the interests is ten thousand dollars for each, and Stanley will pocket five thousand out of it."

"I think it mean for you," said Carmelita angrily, "to speak so unkindly about Mr. Stanley after all his kindness to us. He would never take a cent from us. I know it, the way he spoke of others trying to rob us."

Here Herman said quietly:

"I think, Miss Carmelita, that we will not be obliged to wait so long to get a final decision from the supreme court, and I am sure that in a little while a much handsomer offer of compromise will be made. Brooks knows that his appeal is a hopeless one, and the judge who tried the case has compelled him to give a heavy bond to secure the payment of the rents and profits during the appeal."

"And what do you think, Father?" said Señora Valenzuela, turning to the priest.

"I think that a compromise for a sum so disproportionate to the value of the property is out of the question. I fear my good child," turning to Carmelita and speaking with gentle affection, "is too impatient and does not look ahead like we older ones. A little more time spent in work and self-denial and then will come enough to make her's and her mother's life comfortable and easy without drudgery. But I think it lies with Mr. Thomas to give the final decision."

"A settlement for anything like the sum proposed would be folly," answered Herman.

"You all echo my own belief and wishes," said Señora Valenzuela. "I am happy and peaceful, and Carmelita is young and strong and well, and we can wait. We have now something sure to look forward to and all worry has been taken away. Antonio, tell Mr. Stanley that I am of the same opinion as you and that the proposition as to my interest will not be entertained."

Father Aloysius remained for a few moments after Antonio and Herman took their departure, and chatted with Carmelita. He explained to her how much better for her and her mother it would be not to sacrifice the little fortune that would be sure to come to them and from which they could have a comfortable income during their lives. And then he led her off away from this subject and joked with her about little things of harmless gossip and finally, in a serious tone, chided her for not being more attentive to her religious duties. She promised humbly to be more faithful, and she bade him good-by in her sweet, frank and natural manner.

## CHAPTER LIV

### A FAREWELL REUNION AND A FIRE

SIGISMUND, after the trials, which had commanded his interest and active efforts and had been to him diversions and distraction, appeared like a caged lion. His vivacity and the nervous energy that characterized his usual deportment had developed into an unnatural excitement. If one entered his store, he would find him flying from shelf to shelf, without the aid of step ladders, examining these pieces of machinery and looking through that package of tools; or else immersed in a stack of invoices and bills in the little corral erected in the storeroom which served as office, impaling a pile here with a skewer, with the dramatic pose and action that he would assume in plunging a dagger into a foeman's breast, and crushing others into a ball in his hand and hurling it into the waste basket as he would fire a hand-grenade. One moment he would be whistling like a mockingbird, the next sending forth a mélange of French, German and English oaths, as picturesque as emphatic. Seeming to grow disgusted with these employments, he would run to his room and from it would come wild and weird strains from his violin, with sometimes a pathetic refrain, only to turn into a stormier whirlwind of melody. He often hunted up Herman to invite him to Old Butts, where the two would find solace and brain rest in the expugilist's stiffest concoctions, not invoking, we fear, the safe-guard of the old sage's stop-watch. Herman himself was feeling the unrelaxed strain on his nervous system of recent excitement, work, worry and loss of sleep. It was just after the occurrence of the above narrated episode that had annoyed and upset him, and when some happening at Sigismund's store had exasperated that gentleman, that the two, one foggy afternoon, met at this retreat. They retired to the empty cardroom, and while Old Butts filled

their order, they sat silent and preoccupied, each with his own thoughts, that to judge from their faces, had little brightness in them.

"I suppose, *mon cher* Herman," at last said Sigismund, "that your anchors are firmly set in St. Agnes and that your lot is cast with her destiny."

"Yes, I knew before I came here that my high-strung nervous temperament and want of rude physical strength made impossible a successful career in a city, and I must needs content myself with being a provincial. And I have pitched my tent in St. Agnes and will not fold it to wander elsewhere, unless some unforeseen catastrophe occurs to drive me out. As yet, I have no reasons to regret my choice. What of failure and misadventure that has come to me is but the outcome of my own folly."

"You are right, *mon ami;* and you are blessed with having stability of purpose and patience to wait for fortune's favors. But you have a magician's rug in a profession that can transport you sooner or later to any height your ambition reaches for. But what is a poor soldier of fortune to do whose brain has never been in harness — whose wild and wayward thoughts and dreams are like a band of raw recruits never disciplined; as unruly and headstrong as an army of Polish patriots. What are noble aspirations, brilliant conceptions, dashing deeds, superhuman energy, without the traces and reins of a controlling force and a fixed beacon light to make straight the course and cheer the heart? How tired I get, living in a beautiful chaos, amid a confusion of gems, leading a wild dance, with a mad corps of inspired spirits. Oh, for the patience and the heart to plod the tame highway till the end is reached, the reward earned and the acme of mortal happiness fairly won," and he drained his glass and called to Old Butts to "refill the goblets."

"You will not always wander in this chaos of brilliants of the imagination, dear Sigismund; you will some day mount a wingless Pegasus and ride out into the world of battles and carve your way to fame. The Lord has not given you so many talents to be barren or wasted. It may be the hardware business ill accords with your artist nature, and the rattle of tinware does not harmonize with

the music in your soul, but some day your feverish restlessness will be dissipated in the carrying out of a grand, absorbing purpose."

"Well, my boy, I hope that the day will soon come, for I feel like a lost spirit and it would not take much to turn me into one. But is it not too bad our little circle from which has come to us so much of pleasure and merriment is narrowing itself? Capt. Seymour leaves to-morrow to join a surveying expedition in Oregon, Bucknill is off next week for England and John Stuart has already flown. How will their places be supplied?"

"Too bad, too bad," said Herman. "I for one will feel the loss of these good fellows. I need now more than ever boon companionship. But, you, dear Sigismund, are a host in yourself, and as long as you and your enchanted violin are with us, we cannot grow melancholy and dull."

"And suppose I should lasso that wingless Pegasus and ride off to other fields, guided by that all-absorbing purpose, I fear that you would quickly realize how small a factor in your life's true pleasure is this crack-brained waif of the world, and how short a time the whimsical strains of his familiar spirit will linger in your ears. Ah, *mon ami*, no one knows better than I, it is not the wayward child of sunshine who makes merry the passing hours, however bright and brilliant he may be, that anchors himself in another's fond memory. No, it is he of serious thought, of noble nature, soaring above the world's play-ground, who finds a shrine in other's hearts."

"Why, my dear good fellow, my true and loyal friend, what malign spirit possesses you to-day?" exclaimed Herman. "Indeed, it would be a sad day for me, should your destiny take you away from St. Agnes. You have already saved me from myself, when a dangerous mood controlled me, and your friendship is a constant benefaction to me. Wherever you may go, if we must part, whatever your career may be, however long before we meet again, you will be cherished in my heart with a true friend's affection. You may be right in your logic, but it has no application here. If many others are blind to it, I can see the nobility as well as the longing after great things sought to be concealed behind the jester's mask."

"That is sweetly spoken, Herman, dear, and I will say nothing to dispel your conception of my inner self, even if it might be a delusion. I appreciate your words, and, if by chance we separate, they will be a help to me and a cheer when the blue devils assail me. But we have one parting to deal with, that of the Captain, and we will not anticipate another. Had we not met here, I should have gone after you. I have arranged to have Hans close the outer doors of Wienerhalle early this evening and turn possession over to the Captain, the Baron — whom I have persuaded to spend a night in town, with his cello,— old Joe, Bucknill, and you and me, so that we can offset what may be a cheerless farewell from a gentler quarter, with a warm and generous '*Glück Auf.*'"

That evening, after the Captain had paid his parting call at the Morgan's, which was a brief one, despite the endeavor on the part of the good Colonel to detain him and his unfeigned regret warmly expressed that St. Agnes was to lose him, at least for a time, the little company assembled at the Wienerhalle. When Hans presented the first round of glasses, even that stolid Teuton glanced around at the guests with something akin to astonishment on his face. Each sat silent and serious looking, and one would have thought that it was a church conclave. Of course, the Captain felt downcast, possessed with the feeling that the one from whom he coveted most a sincere expression of regret at his departure was really relieved at the prospect of no longer being bored with his attentions. The Baron's thoughts were upon little Beatrice and her future. What was he to do when she grew older and should receive an education in a refined and cultured environment? It would take a long time and great thrift and self-sacrifice to provide for this from Ruheplatz. Poor Joe had been coughing more than usual that day, and he realized that life with him was ebbing surely away. Bucknill was perplexed about setting in order his ranch household before he sailed; and the mood that impressed them in their talk at Old Butts' still controlled the spirits of Sigismund and Herman. As Hans disappeared, Bucknill lifted his glass and remarked:

"I beg to open this wake with a drink to our late boon companion, the provoker of mirth and frolic, lamented

friend and worthy host, Sigismund, with the hope that he may yet be restored to life."

"Thank you, my good Briton," cried the subject of the toast; "it needed but your hearty pledge to win me back from the tomb. A bumper to you all my friends. If a damper again rests on our souls this evening it will not be placed there by Sigismund. Was it not I that conjured you choice spirits to good fellowship before the magic circle is broken? And I shall not let the joyous moments lag or taint them with a breath of melancholy. With what my dear Herman so kindly terms my enchanted violin, let me welcome you — welcome you to an evening of such brightness that it may cast a radiance on the pathways of those who are about to wander off away from the charmed circle, that they may turn in their journeying and gaze upon its genial glow." As he spoke he had been tuning his instrument, and his words ended in a burst of joyous, thrilling, inspiring harmony that in an instant exorcised the gloom from each one's heart and exalted their spirits to keen enjoyment. The Captain's chagrin vanished and he could have built a palace with perfumed lamps for any strange fair one; the Baron grew rich in the hidden mines of Ruheplatz; poor Joe became well and strong and his soul throbbed with the spirit of song; Bucknill flew across the waters to the waiting bride, and Herman was drinking in again the delights of The Keller. As the strain ceased in a wild peal of joy, poor Joe, as if unconscious of the presence of men, threw himself back in his chair and casting his eyes upward, as if his vision reached through the smoke-frescoed ceiling and age-darkened tiles above it to the brilliant lamps of heaven, poured forth his soul in song that seemed to have caught an exquisite sweetness from the choir that was waiting to welcome him when his day of parting came. It was his own song, the one he loved most of all, the one that never lost its charm with those who felt the spell of his gentle nature and loved to listen to his birdlike voice, "Do not wound the heart that loves thee." It cast no cloud on the spirits of Sigismund or his guests, but it spun a thread of pathos that wooed shy sentiment from her shrine and made more refined and enchanting the joys of the evening, and gave scent and flavor to them, as in after

years they stole, oh, so entrancingly, into the memories of those who lived to cherish them.

"It would have to be indeed a savage, dear Joe, that would ever inflict a wound on your gentle heart," said Herman, "that ministers so sweetly to other hearts."

"My friends are very good to me, and think they have a fondness for me, and they would rather wound themselves than me," said Joe sadly; "but by their very fondness I make a self-inflicted wound, for the thought is always with me now, that it is my voice they love, not me; and if God should take that from me before this wretched body succumbed, the charm would be broken and what had been a welcome presence to them would be only tolerated, if not shunned."

The Baron reached over and placed his hand affectionately on Joe's and said:

"Sweet voices I have heard the world over: in opera house, in concert hall, in salon and humble cot and out in the fields, and each in its way, of those that breathed music, gave me pleasure. They were but voices and as such pleased the ear. Many were the endowments of sensuous souls and of gross and sordid natures. Happy gifts and accomplishments, they charmed the senses; but like precious stones, they portrayed their own beauty and rarely gave expression to their possessor's soul. Their music and its rapture may be bought or stolen anywhere, and of itself does not win hearts, or cement affections or make love enduring. It is the soul's graces that have the charm to kindle friendship and keep its lamp burning and if they can voice themselves in sweet song, brilliancy is added to their lustre and magic to their power to delight. To me no sweeter necromancy exists than in my dear wife's voice; each note is in accord with her pure and gentle thoughts, and it leads me away from all life's cares and weariness and worry into a dreamland of peace and beauty; but if some visitation of divine Providence should rob her of this gift, my love, if such a thing could be, would grow more gentle, more devoted, more tender than when I dreamed under the spell of her voice. Your gentle self is dear to us, old boy; we love to hear you sing, for never was there one could more truly express in song his nature, and in the pathos in your

voice we listen to the sentiment of your heart; you cannot sing each hour, but when have you found the day or hour when we were not happy in your companionship? And if the spirit of song fled from your voice, your friends would hear its echoes in each sympathetic word and affectionate glance." And the Baron took up his bow and poured his own soul out in "Traümerei."

"Ah, Baron," exclaimed Sigismund, when the last plaintive notes died away, "you and Old Joe, despite my efforts to make this evening a galaxy of sparkling merriment, would tone the brilliancy with pathos. Our hearts are sad as it is, and would you make them shed more tears? You would have spared me, *lieber* Baron, had you known through what memories threads the bewitching theme of sweet 'Traümerei,' and how often it tames the only thing within me by which I can charm my fellows, the spirit of deviltry. We must not be sad to-night; we shall not be sad. Those that are to go from our midst must not start on their way in a shower of tears, but must be borne forth in the sunshine on the wings of joy. I wish to-night I could be a Puck to make each moment sparkle with harmless mischief. But, after all, I may be wrong. Will not the pathos be a sacred oil to keep the lamps burning in the shrine of the past? I wonder if I myself, the creature of the ever restless elements, would not be better off when I again become a wanderer to have a tether of pathetic sentiment binding me to fond images in happy scenes of the bygone. Captain, you are going away with ambition and energy to lead you to greater rewards and honors in your profession in a broader field; you, Bucknill, will follow with sweeter enticements wooing you, to return to a life full of soul satisfying plenitude; and those that are bidding you God-speed will keep you affectionately in their memory while watching your career and wishing you success. I, myself, am off bright and early to-morrow morning across the mountains, to try calm this whirl of excitement that possesses me, with rod and reel and gun, in the solitude of the wilderness. A missent bullet, a blow or a fall might forever still life's fever; or, if the forest elves did not covet the companionship of my spirit, and I returned, I might still mount a certain wingless Pegasus that Herman says exists, and ride

off on the dusty stage road, to become lost in the world's traffic and turmoil. I wonder in such happening, what place I will have in the memories of those whose comrade in merry moments I have been? Will they hang me upon the wall among the prints of grotesque characters and laugh-provoking cartoons, or will they give me minor place among those who make the sweet companionship of the past? Indeed, my friends, I would like the privilege of mingling with these cherished ones, one of them; and I would have the past veil the faults and foibles and bring out into the strong light of day whatever of the gentler graces that disclosed themselves in the midst of the childishness and of the folly. And I ask you now in the warm atmosphere of our hearts' comradeship, the chill of the world shut out, to be very charitable to this poor restless spirit, not only for what of wrong you know him to have done, but what may come in the future to discredit him. Remember this, no matter what the world may say, this same wayward being has you in his affections; that he can feel and cherish affection; that he is honest, loyal and true, and that he would defend you against a host of maligners, at the expense of his own welfare and, if necessary, his life."

He had scarcely ceased speaking when the company was startled by the cry of fire. They all sprang to their feet and rushed into the street, the Baron and Sigismund having hurriedly entrusted their precious instruments to the safe guardianship of Hans, who regarded them as sacred vessels. A vivid flame shot up from the roof of the Crawson building adjoining the old American Hotel, but a block or two away. A crowd had already collected in front of the building and hotel when our friends arrived, and stood looking stupidly at the fast spreading conflagration.

"To work! you *locos*," cried Sigismund, and catching sight of the Sheriff who had just come up, hailed him with, "Stir up these natives, le Roy; get all the hose and every bucket in the neighborhood; we can save the hotel. Come on, some of you, with me and get out the furniture," and he was about to dart into the now flaming, crackling building, whose hollow walls roared like a blacksmith's forge, when his arm was seized and he was pulled back, and turning he discovered Crawson, the owner, who exclaimed:

"Old hon, Mr. Sigismund, never mind the furniture; I would not ave you risk your life, no matter ow great my loss. Save the hold otel. I can bear my hown misfortunes, but my eart would be eavy hif through my calamity hothers would suffer."

Sigismund shrugged his shoulders, and the next moment had taken the lead in getting the old hand-engine that had just arrived, in position, and the feeble stream directed. And then he seized an ax from the hand of a volunteer fireman who had no idea what it was intended for, and in a few seconds appeared on the roof, in the midst of the flames — like an imp, darting here and there — cutting and slashing, the ax-blade flashing in the lurid light, stopping now and then to yell some direction to the men on the adjoining roofs; and finally, as a great crash came and the roof fell in, making a great leap, through the belching sparks and flaming embers into the arms of the startled Sheriff on the hotel roof, amid the shouts of the applauding populace.

The next morning before daylight, a horseman rode out of St. Agnes, with blanket, rifle and revolver, and directed his way to the mountains. It was the heroic Sigismund. A fortnight passed and he did not return. His friends became uneasy and inquired of his partner his whereabouts and if he had been heard from. They found the poor man more greatly disturbed than they. No news had come from the absent one, but a number of bills from wholesale houses had poured in with demands for immediate payment. The combination of the store safe was changed and the key could not be found, and an expert had been called and was at work to open it. When at last this was accomplished, two notes from Sigismund were found,— one addressed to the partner and one to Herman. To the former he wrote that he had branched out away beyond the business possibilities of the community; that the crash was approaching; that his remaining to face it would be an injury, rather than a help, to his partner, while his flight would enable him to compromise without too great sacrifice with the creditors who would rightly throw the blame on the fugitive; that he had taken barely enough from the partnership funds to transport him to another field, and what he had taken would as soon as he was established and at work, be re-

placed if his fortune ever changed. To Herman he wrote:

"*My dear, true friend:*

"When this reaches you, I will be united with the only friend I can command to save this reckless soul from desperation, 'the enchanted violin.' It journeyed on ahead of me, and I shall hold sweet converse with it about our parting night; and it will bring to me the voices of those I really love; and, chief among them, yours,— dear companion of my true self that the world knows not. This world will call me a traitor and fugitive; but, I believe your words of yesterday. You will not think me such; but will wait, wait — no matter how many long years may roll by, even until death cuts short the struggle, if such my destiny — to see me conquer fortune, in triumphing over self, and be vindicated. I mount my wingless Pegasus. Say farewell to whom remain of our little circle; keep a brave heart yourself, and follow with a prayer and blessing.

"Your melancholy

"SIGISMUND."

## CHAPTER LV

### STANLEY PLANS ROBBERY OF MOTHER AND RUIN OF CARMELITA

SEVERAL months had passed since the events just narrated. The Baron and his wife had been dining with Col. Morgan and his daughters, and the two gentlemen were strolling in the garden in earnest conversation.

"I cannot help," remarked the Baron, "feeling greatly distressed and uneasy about our good friend Thomas; he seems to have been overworked, and is worried and is at times morose, and at others unnaturally excited, with all the appearances of being under some great strain on his nervous system. Worst of all, he appears to be drinking heavily, evidently to keep up his strength and energy."

"I too have noticed what you speak of," replied the Colonel, "and it grieves me, as I have a great affection for this young man. But, Baron, we can say nothing. He is one of those sensitive natures that a word will mortally wound and for you or me to volunteer to counsel him would be but to drive him from us. As it is, he shrinks from companionship and rarely comes to the house; it is a fortnight since I have seen him to speak to him. He is going through some mental struggle, and, with such as he, it must be fought out alone.

Mrs. Stanley and Walter came up just then, and the two gentlemen accompanied them into the house. Mrs. Stanley took a seat beside Martha who seemed to attract her more and more, and Walter, after a few polite words with the Baroness, joined Anna. He had a bored expression on his face which it was difficult for him to conceal, as he tried to do in a forced flood of small talk.

"Martha, you are very quiet this evening, and I would say, sad," said Mrs. Stanley. "Has anything come to make you unhappy?"

"Oh, no, not exactly that; but there is so much of unhap-

piness and distress about us that one's thoughts must be sometimes colored with it. I was at the moment thinking of a young girl in whom I have taken great interest. She is very poor and has to earn her living and support a bed-ridden mother by hard drudgery. Yet, she is more gifted than any child of her years I have ever met. She is a natural musician and seems to understand the notes and chords of harmony as if it were her language, and she is passionately fond of verse. I have lent her several books of poetry, and she has memorized without any trouble numbers of poems and recites them with wonderful expression, comprehending their spirit and meaning. I long to be able in some way to obtain her an education. I believe it in her to become a brilliant woman, and it seems a sin to let her talents be wasted."

"Indeed? It is strange to find here among these stupid people one such as you describe. I am quite interested. I would be very glad to have you bring her to see me and let her display her talents. I might help her perfect them."

"It is very kind in you, Mrs. Stanley," said Martha, "to volunteer this, and I will certainly bring her to you."

"What has become of Mr. Thomas, Martha?" said Mrs. Stanley abruptly, after a pause; "I never see him now. He seems to have forsaken society since his two constant companions, Sigismund and Capt. Seymour, took their departure."

"He rarely comes to visit us," replied Martha, and her face grew sadder, "and it is two or three weeks since I have seen him. I have no doubt he misses his light-hearted friends who always seemed to keep up his spirits. I think he is one who, if left to himself, courts solitude."

"I am inclined to think, Martha," said Mrs. Stanley, "that if one of our sex, one in whose company he always seemed brightest and happiest, and for whom he was ever ready to leave work or play when she beckoned to him, were more gracious, it would be more to him than the good fellowship of his two lost friends, and weeks would no longer pass without you seeing him."

"I am afraid you do not know him, Mrs. Stanley," said Martha, apparently not recognizing as personal Mrs. Stanley's allusion. "Any woman would have to be in brilliancy

far above the ordinary to entice him out of one of his somber moods. From what I know of him, I believe that the society of boon companions of his own sex, full of fun and frolic, is an essential to keep him from brooding."

After the Stanleys had taken their departure and the Colonel was returning from the gate to which he had escorted them, Martha met him.

"Papa dear," she said, in an embarrassed mannner, "have you seen Mr. Thomas lately?"

"No, my dear, not very recently."

"Do you think he for any reason shuns us?"

"I do not think he has any particular purpose to avoid us, other than his wish to be away from all his friends."

"I have heard, Papa, that he is drinking more than had been his custom; do you think this is the reason?"

"No, my child," answered her father. "I believe that he is going through some great mental ordeal, which, maybe, with worry, weakens him, and that his resort to stimulus is to keep up his strength. Of course, it will lose its power and only aggravate his trouble, as he will later learn. But, Martha, if you feel the interest in him I do, let me assure you that he will come out of it all a conqueror, or I have misread the young man's character."

"I am very, very glad to hear you say this, Papa, for it would be a terrible thing for one of his serious thought and high aspirations to sacrifice the career they would otherwise insure him, through an unconquerable weakness."

Walter Stanley accompanied his mother to their home, and, leaving her there, continued his way uptown. He went into the bar-room of the American Hotel which had escaped material injury by the fire, sat down in a vacant card-room and drew from his pocket two letters he had received just before going to the Morgans. One was a threatening letter from a lawyer. It concluded in the following language:

"Unless you make good within a week the three thousand dollars you obtained under false pretenses from my client, I shall sue you for damages and prosecute you criminally without further parley."

Stanley uttered an oath and crumbled the letter in his hands as he muttered:

"D—n him, I have no doubt he'll make good his threats. But what am I to do? I'm at the end of my string. Luck has been against me from the start. This cursed playing with small stakes gives one no chance to make a handsome winning. Mother will do nothing for me; it is hopeless to try her, especially after the El Roblar Viejo stock affair. But why shouldn't I have some of what she hoards; it is as much mine as hers? My God, I won't stand it any longer; I'll take what belongs to me, whatever may happen to her."

He then opened the other letter and became at once absorbed in its contents. It was from Espinosa. He sat sometime after he had ceased reading, in deep thought, and finally he replaced it in his pocket, and as he did so an expression of dogged, sullen, vicious determination came into his face, while he repeated to himself:

"The field is prepared. I have my part of the money ready, and when you come with your part, the institution is ours and our fortune is made. But be sure bring *la señorita* with you: as the most charming of monte dealers, she will double our profits."

"These words of yours, my good Mexican, decide my destiny. Fate has brought me these two letters together, and the only way to escape the danger menaced in the one, is to take advantage of the opportunities displayed in the other, however desperate the means to seize them may be."

He went to the bar, took a great draught of raw whiskey and went out. He walked down the main street some distance in the direction of his home, then turned up towards the native settlement and, retracing his steps, with his hat turned down and a muffler wound around his neck and the lower part of his face and his gait disguised, keeping in the shadow of trees and houses, he came to the house of Señora Valenzuela. He crept up along the fence to the corner of the corridor when he halted, concealed from view from the street, and gave a low call. Presently a door on the porch opened softly and Carmelita muffled in a shawl came out and joined him. They conversed in low tones earnestly for a half hour, he seeming to be urging something and she protesting, finally yielding. As they parted, he said:

"Remember, the steamer will sail at nine o'clock on Sunday evening, day after to-morrow; the carriage will be at the Presidio at eight o'clock; you have but a block to walk and you must be ready. The driver will know where to pick me up. Until Sunday night then, dearest!"

While Stanley was thus occupied, his mother spent the evening, as she had spent so many weary ones before, in solitude, so far as human companionship is concerned. The faithful Timon was always by her. A deeper sense of loneliness than usual oppressed her. She was thinking of the home she had just been visiting, the peace and happiness that characterized it, the gentle devotion of daughter to father and the affection that bound the three together. And her thoughts went back to the one who had in his simple way sought to make her life happy; thoughtful and considerate in everything, admiring her talents and clothing her with virtues that did not exist, and taken away before the ice that had formed in her breast in her cruel maidenhood had quite thawed. She wondered if he ever felt from it a blighting chill such as killed each tendril of love and longing her heart put forth for her own offspring. Her loneliness this evening did not have in it the bitterness that armed her against all human sympathy, but a feeling of ineffable pity for herself possessed her. Martha's influence was upon her, and she felt that what she had scorned in her lifetime, the love and gratitude of one's fellows, is essential to human happiness.

"What good to me are my selfishness and coldness? Have they brought me any reward in peace or comfort? Have they even ministered to the gratification of the senses? How much more of exquisite pleasure does not this girl Martha extract from her life, devoted as it is to others? Is it too late for me to attempt to pull down the wall I have built about me? I must do something; this brooding is eating into mind and body and who can tell how long it can be endured and how terribly it may end?"

Just as she arose to retire, Stanley came in. His face was flushed and an ugly expression was on it. In reply to his mother's salutation, he said, good evening, gruffly and went to his room. Mrs. Stanley stood for a moment, the lamp in one hand, the other pressed tightly against her

breast, and her face deathly white, and followed him with her gaze until he had disappeared. She looked not unlike Medea, as she had portrayed her, when bidding farewell to her children. Finally she walked unsteadily away to her chamber, with a look approaching despair on her countenance.

## CHAPTER LVI

### MATRICIDE AND AN AVENGER

It was the first Sunday in Advent, and nature did honor to the Church's New Year's day. The morning had broken without a cloud to dim the sun's first radiance, and as it ascended from behind the ocean promontory, its rays shot out across the peaceful channel, sparkling ribbons of golden light, to the islands, yet lingering in the shadows of night. The trees and shrubs had been cleansed by the first rains and glistened in the sunbeams. The music of a perfect morn, the notes and calls of birds and fowls and beasts, the hails and whistling of men, the happy songs of women, and the ringing of church bells invoked magic joyousness from the beaming landscape, and the blended beauty of features and voice sent forth through the balmy air greeting to the herald of the Nativity. Father Aloysius had said early Mass, and had betaken himself to the town, to make some sick-calls. Having performed his duties in this respect, he stopped to rest at Señora Valenzuela's before returning to the Mission. Carmelita seemed greatly disturbed when she saw him and appeared nervous and ill at ease as she accompanied him into the room where her mother sat, and her manner did not escape his attention. She obeyed with alacrity her mother's request to make a cup of coffee for the guest, glad to escape.

"Father, you do not know how glad I am that you have come to-day. God must have sent you. There is something wrong with Carmelita and I cannot discover what it is, and I cannot help dreading some terrible happening. She has come several times and put her head in my lap and cried; and every now and then she asks me if I really love her and if I liked to have her with me and if she did anything to make me happy; and if I would miss her, if she should be taken away from me. And when I beg her to tell me what troubles her and why she seems so sorrowful and why

she asks me these foolish questions, she only replies that she is not very well and is very nervous, and that she wants to be petted and comforted. And, Father, she did not go to Mass this morning; the first time I have ever known her to miss it, when well enough to go out at all."

The Father looked very serious and distressed, and replied:

"I am heartily glad that I was directed here. And dear Señora do not worry; I will find out the cause of her behavior, and if any harm is impending, I will prevent it."

After Carmelita had brought the coffee and the priest had finished his cup, he arose and bade the Señora good-by; and turning to Carmelita, said:

"Carmelita, come with me; I wish to speak to you."

"Some other day, Father," she said; "indeed I am very busy this morning."

"Go with the Father, my daughter," said the Señora, in a voice of command that the girl knew not how to disobey; and she followed him out upon the porch. He sat down on a bench and told her to sit near him; then turning towards her, he looked at her earnestly, and the girl felt that he was gazing into her innermost soul and reading her secret thoughts, and she trembled.

"My child," he said, "why were you not at mass today?"

"I did not feel well enough," she said, averting her eyes.

"Carmelita," and his voice was low and earnest, "since the time I looked upon you a little infant, and saw you cleansed from mortal sin by the waters of baptism, and myself for you renounced the evil one, I have watched you with a father's affection. Your true happiness I have had at heart. I have tried to lead you along gently in the ways where you would find the graces of a pure womanhood and where evil would not harm you. I have not been severe with you at any time. Is that not so?"

"Yes, Father," she replied, holding down her head.

"It made me very happy to know that you had a good heart; that your inclinations were not evil and that you had a simple, ingenuous nature. To-day is the first time you have told me an untruth. Why have you done this?"

Carmelita here assumed an indignant attitude, and wiping away the tears that had come to her eyes, said defiantly:

"You have no right to say this to me; you have no right to question me and want to know my secrets. And it is not right for a young girl to tell to any man her thoughts, and — and —" And here she put her face in her hands and commenced to sob.

The friar waited a moment, and then said, gently, but with deep sadness in his voice:

"My child, some very wicked person has been putting evil into your heart — has sought to lead you to do something which would shame you to tell; and this same wicked creature is trying to rob you of the safeguard of your honor and purity — your religion. And it was he that kept you to-day from your religious duties."

The girl trembled and glanced up at the speaker with an expression of awe.

"Now, my child," he continued, "is there a time when I encouraged or permitted you to speak to me except as a child would to a devoted and pure minded parent?"

"No, father."

"Then what you have just said to me is another untruth, because your own life denies your words. Remember, Carmelita, when one has been good and true and sincere and departs from this and commences to do evil, she cannot conceal her thoughts and acts, and one can read her as a book. I know that you have allowed yourself to fall beneath the influence of a man without conscience, who seeks to corrupt you. I know that you are now planning some act that may ruin you and maybe send your poor mother heartbroken to the grave. Are you not?"

"O Father, I would not do anything to make Mamma miserable. I shall only be gone from her a little while and will come back with means to give her more comforts than she has ever had, and we will live like ladies as we have a right to."

"And Walter Stanley guarantees you all this?" asked the priest.

"Yes, Father."

"But, why should there be any separation from your mother?"

"Well, Walter says that it would cause a great deal of talk and gossip if we are married here; that his mother would oppose it and try to prevent it and that it would be very disagreeable to him, owing to his supposed engagement to Anna; that we could go to Los Angeles and be married there and then return as man and wife."

"And has he told Anna that another has taken her place?"

"No; it would not be wise, he said, on account of his mother, who would immediately suspect something."

"And so you were to leave your mother, and on to-night's steamer, I take it, run away clandestinely with a man known among his fellows as unconscionable and heartless! Now, my child, I do not believe you would willingly do anything wicked; but if you did what you intended, you would be guilty of a mortal sin which would blight your life. But not only that; it would kill your mother, and remorse would follow you to the grave. You are first guilty of a sin in not confiding in your mother; next you go away alone with an unmarried man, and sacrifice before the world your honor in doing it, and instead of taking a social stand when you come back, if you ever do, you will be avoided and treated with contempt. Your mother would realise this, and to have her daughter dishonored and herself shamed in her daughter's disgrace, would itself be too much for her to bear. Suppose this man, if he intends to marry you, were stricken down before he fulfilled his pledge, what would be your position? But, Carmelita, you are blind. Think of the character of this man from his own acts. You can gather no other conclusion than that he has no respect for you and will betray you. Why, if he cared for you, would he carry you off clandestinely? He is a man of the world and knows it will bring shame upon you. If he were a man, he would defy the world and marry you here in your own home. But he has wilfully and cruelly forsaken a good girl — as you know Anna is; has no consideration for his own mother and less for yours, and I tell you now, Carmelita, that he means to ruin you and will desert you."

The deep earnestness and impressive manner and magnetic power accompanying the priest's words subdued the girl

and made of her an unresisting child. She cried bitterly, and amid her sobs repeated, "O Father, forgive me! I was under a spell; I did not know what I was doing."

Finally he said:

"Now, my child, go to your mother and tell her all; but first promise me that you will remain with her, and refuse to see Stanley to-day under any circumstances."

"I promise you, Father."

Father Aloysius could not rest easy in mind as to what would be the result of the planned villainy on the part of Stanley, and obtained the consent of his superior to go into town that evening. About dusk, as he drew near the residence of Señora Valenzuela, someone came walking rapidly behind and passed him. It was Pancho Rodriguez. There was an expression of anger and hatred upon his face; his hat was drawn over his forehead and with one hand he seemed to be holding something under his coat which was clutched tight with the other. The priest immediately recognized him, and knew that he must be on some desperate errand.

"Pancho," he cried, "stop!"

Pancho, without arresting his steps, replied:

"I cannot now, Father, I am in a great hurry."

The friar sprang forward and grasped his arm, and as he did, his coat was pulled open and disclosed a hunting knife in the young man's grasp.

"What does this mean? What do you intend doing with that knife, Pancho?" exclaimed the priest.

"Let me go, Father. I am going to prevent a great crime, if I have to cut out the black heart of the man that is going to commit it. You shall not stop me."

"But I will stop you," cried the friar, grasping his arm more tightly and speaking rapidly and sternly:

"So you will prevent one crime by committing another. What is there that can justify cutting another man's heart out?"

"I learned, Father, from a friend of mine who drives a carriage, that Walter Stanley has hired him to take Carmelita and him to the steamer to-night, and I inquired of the steamship agent and found that Stanley had procured

two tickets to San Diego. He intends to ruin poor Carmelita, and he shall die first."

"So you will risk your own soul, become a murderer and doubtless expiate your crime on the gallows and bring sorrow and disgrace on your old father and mother, to say nothing of the horror and hatred you will raise in the heart of the one you love and think you are rescuing. Give me your knife."

Pancho obeyed instantly, such was the force of the overmastering will of the friar.

"Had you been a true Catholic, my son," he continued, in an earnest tone, "you would not have sought to prevent this great wrong by dyeing your own hands in blood. Had you not been impelled by anger and hatred you would have invoked the aid of your friends with confidence in the great protector of the orphan and the simple-minded. He has already prevented this crime. Carmelita has come to her senses, and Stanley has failed in his wicked design."

On this same beautiful Advent Sunday, Martha took her young girl protegée to see Mrs. Stanley. The girl was very shy at first, like most mortals endowed with a breath of genius; a cold, unsympathetic atmosphere chilled the divine fire. It was only after Mrs. Stanley herself had been aroused and become interested by the talent of the child, and commenced to correct and instruct her, repeating some of the recitations in her inimitable manner, that she threw her heart into it and verified Martha's declaration that she possessed great genius. It certainly was a great diversion to Mrs. Stanley, and she said to Martha when she and the child took their departure:

"Martha, I thank you for an hour of real enjoyment. I believe that it would be a wholesome employment and diversion to me to teach your little friend, and when the time has come for her to have other instructors, although I am anything but rich, I might be able to help towards obtaining them. Would you like to have me as a teacher?" she said to the little girl.

"Yes, indeed," replied the child. "Oh, if I could only repeat pieces of poetry as beautifully as you do, it would make me so happy."

As they went off, Timon went as far as the street with them, and Martha patted his head and asked him if he would take a walk. He looked at his mistress, as if asking permission; she motioned him to go, and he followed Martha.

Mrs. Stanley sat for a long time in deep thought. Then she said to herself:

"Yes, I will try to make some sacrifice of pride and selfishness. I will try to gain some peace and comfort by being a benefactor of this young creature. What would have become of me, a poverty stricken waif and talented as is this girl, had it not been for that noble man, Major Forrester? I have written to him that should my little fortune fall into his hands to devote it to just such charities as he made me the beneficiary of. I will write to him, now while the humor is with me, to place a sufficient sum in Martha's hands to complete the education of this girl, and put the note to-morrow with my will and my former letter to him."

She arose and wrote and sealed the note and laid it on her dressing-table. The thought then came to her that poetry and music ill accorded with the child's poor clothing and she determined to do something towards adding to her wardrobe. This led to the recollection that she would require some money for the morrow's use, and that she had not yet cut from her bonds coupons that had matured some time back, and, after taking her usual precautions against observation, she took from the secret receptacle her safety box, opened it and unfastened the envelope in which she kept the unregistered government bonds. Instead of the bonds there was a fold of waste paper — the bonds had disappeared. Her face became deathlike, she clasped her breast with her hands and sunk to the floor panting for breath.

"Robbed — ruined!" she exclaimed in the midst of her struggles for breath, and she repeated it over and over. At last she raised herself to her knees and mechanically replaced the packet, locked the box and returned it to its receptacle, and then she struggled to her feet.

"I must have air, or I will die," she gasped.

She threw a shawl over her head and went out. She

felt she must have more air, and walked down to the beach and along the strand, across the rocky point to where the western breeze that gave life and freshness to that beautiful Sunday afternoon, blew unbroken from across the ocean. She sat down upon a rock, threw her shawl from her and with her hands pressing tightly her bosom drank in the life preserving jets of air.

"Robbed! Robbed!" she had been repeating as in a delirious dream, her mind dazed, her brain in a whirl. At last she was able to concentrate her thoughts enough to reason about the deed.

"How was it possible!" she exclaimed. "Could it have been the work of the detective?"

Suddenly there came to her the recollection of the last time she had taken the bonds from the box; she remembered the hound's peculiar action and then the fact of Walter coming up the steps as she went out, and certain indications of embarrassment on his part, creating no impression then, flashed upon her mind, and she exclaimed:

"There can be no doubt; the robber is my own unnatural son," and the delirium came upon her again; and the refrain, "Robbed by my son," kept grinding, grinding through her brain amid confused fragments of scenes of her life, and sayings and doings of characters she had known, and she repeated conversations, recited verses, among them those but an hour before she had recited to the child she had determined to aid. Suddenly she sprang to her feet and enacted the scene from Medea that had once terrorized the soul of her son, more terrible now in her wild fury. During her raving she had been clasping first her throbbing temples, then her panting bosom. Suddenly as if instinctively she took from her belt a small vial and swallowed the contents. The drug had its effect, and presently she sat down again and a dull stupor came upon her. She sat until the sun dropped below the horizon, leaving a soft glow; until the glow faded into the gloom of night. A steamer glided in sight, her lights like sparks from the ocean, and then there was a flash, and a loud report from the signal gun, that startled the air, and the tortured woman awoke from her stupor; at the same time she became aware that someone was crossing the

point of rocks where she sat. She drew herself back into an alcove where she could see without being noticed. The figure of a man appeared. He stopped almost by her side, reached up on the face of the cliff, removed some fragments of rock and drew out a packet from a crevice. As he did so, Mrs. Stanley sprang towards him, and seized the packet, trying to wrench it from his hands, crying:

"Ah, Walter. Thief — robber of your own mother! Some angel or devil has sent me here to thwart your unnatural act."

"Let loose, Mother; you shall not thwart me. I will have what is mine as much as it is yours. If fortune favors me, I will replace what I have taken; but you shall not prevent my purpose now." And he struggled to free it from her frenzied grasp.

"Mother, I will hurt you if you do not let loose."

Still more fiercely trying to tear it from him, she uttered a piercing cry, shrieking, "Help! murder! Timon! Timon!"

Through the silent air, above the roar of the surf, out to the incoming steamer, affrighting its living freight; back over the mainland, up to the home of Col. Morgan where Martha was telling her father and sister of the awakening of Christian impulses in the heart of the woman who steeled herself against them, rang the agonizing cry.

Stanley, releasing a hand from the packet, dealt his mother a blow on the breast. Her hands relaxed their grasp; she sank down among the rocks, and her heart which was ever a source of trouble to her, and had never felt the heavenly breath of perfect peace, ceased beating. Before the one who had stricken her down could turn to flee, there was a rush through the air, a leap over the prostrate form, and the enraged hound bore his body to the earth, his fangs crushing through the murderer's throat. Too late to rescue, the faithful friend became the terrible avenger.

## CHAPTER LVII

### THE CRISIS IN HERMAN'S LIFE

A GREAT crisis had come in the life of Herman. It seemed as if all the demons that tempt the soul of a passionate, sensitive nature had combined to overcome his will and destroy the nobility of his character. The strain upon his nervous system had been intense and it had prostrated him, and the devil insomnia had come to torment him. He worried over his affairs and brooded over magnified sorrows and misfortunes. Periods of intense loneliness and despairing depression would be succeeded by unnatural exaltation of spirit, when he would dream great projects and plan marvelous achievements, to become abortive in the helpless weakness that followed. He was haunted with the idea that he must work; that he must show to the world that he was capable of thorough work, no matter what might be his physical condition. To bring sleep, to drown this horrible depression, to give strength to work and to conjure the bright dreams to his imagination, he resorted to the frequent and excessive use of stimulants. Several of his friends, whom he knew had no conception of and were incapable of comprehending the battle going on within him and the odds against him, tried to admonish him, or reason with him about his drinking, treating it as if it were the only thing he had to contend against and as if it were a petty self-indulgence which could be laid aside with the same ease as refraining from gratifying the appetite for some particular delicacy of the table. Herman resented this bitterly and in such a way as silenced all like attempts on the part of anyone. Those that knew him well and understood him never referred to his condition, but in his unnatural moments rather avoided his company, for fear of inflicting a wound. Their action in this respect, however, did wound him and added to his wretchedness. He imagined that he was being shunned by everyone; that he was

regarded as a sort of outcast. After working in his office when it required all the power of his will to control his nerves to accomplish anything, he would go out and walk great distances, on the beach, over the hills, through the country, until his feet were worn and sore, his brain all the time working like an engine; and when he had not the strength to go further, he would sit on a rock on the sea-shore, and wrestle with the demons within him. In his loneliness a great pity for himself would come into his heart and, at one of these times, old Saterlee and his sad face and forlorn look stood before him. On the impulse he wrote him a few lines, telling him of the death of his murderous enemy, and closing the letter with, "I am not well myself; indeed I am wretched in mind and body. Pray for me."

His life was a constant prayer for help, and through all his weakness, not a single feeling of resentment or rebellion against his lot came to his thoughts. He was at all times conscious of a protecting power about him. He escaped a number of accidents, as if by unseen aid in his wild walks by day and night. In the endeavor to win sleep, he would, at all hours of the night, go into the ocean and swim. As he approached the breakers, in their towering might and threatening aspect, they seemed to him like devouring beasts; meeting him, they broke over him gently, caressingly, soothingly, as if trying to bring him peace. One night, when the fog had come down upon the earth and was so dense that objects were not distinguishable in the distance, he swam far out beyond the breakers. When he turned to go back, it was impossible for him to see the shore, and the surf on the curved beach sounded in every direction and he did not know in what direction to go. He laid on his back and tried to think of what to do. He felt that he was in the presence of death. His strength was barely great enough to take him directly to land. He had always possessed a horror of drowning, but above and beyond this was the feeling of being taken away before he had conquered the evil spirit within him, when his life would end before the world in shame, and his death be pronounced as self-imposed.

"My God," he cried, "do not let me die this death!"

And that instant he caught sight, close by him, the end of the wharf, and guided by it, he swam to shore.

He made earnest efforts to break himself of the use of stimulants, and for a short period would succeed; but a supposed necessity for work would come in the midst of helpness weakness, and he would return to it.

In his walks he occasionally met Father Aloysius, and would exchange with him a few words. There was always a sweet expression in his face and his speech and manner were very gentle, but he never referred to Herman's health nor gave a single intimation that he was aware of anything unusual in his conduct. One day when despair had almost taken possession of him, Herman found himself at the Mission. The recollection came to him of his visit,— it seemed an age since then,— to Father Aloysius and their quiet talk in the cañon retreat; and the question he had asked his companion: if he believed he could ever make a Catholic of him? He thought he might rest and maybe find a little peace in the same spot; and walked down through the archway into the cañon under the trees, among the bowlders, along the singing stream, to the little chapel-like nook. Father Aloysius sat in the same place he sat when Herman asked him that question, a book of devotion lying open on the rock beside him. There was no surprise on his face when the young man appeared. One would have thought he had been awaiting him.

"I am very glad to see you, Mr. Thomas," he said. "I was just thinking of you and wished you might be here to help banish the sadness that clings to me to-day. You know how often you have dispelled the gloom from my not always cheery nature. Sit down."

"O Father, I am not the one to bring you brightness; my own heart is very heavy," sighed Herman.

"Well, we must both look to a higher power to send his angels to comfort us. I was accusing myself of want of charity and neglect of duty. I remembered our conversation here about the Stanleys — mother and son, (God rest their souls) in which I expressed the bad impression they had made upon me. I some way never overcame this, and it grieves me deeply to think that I might have been able by gentleness and patience to bring to the poor

woman the refining influence and consolation of religion. Martha Morgan says that at the time of her death, she had begun to realize the falsity of her infidel philosophy. But what makes my good friend's heart heavy?" he said, placing his hand gently on Herman's arm. The young man buried his head in his hands, overcome by the affectionate solicitude of the priest.

"O Father," he said at last, "I am so very miserable. I do not know what to do. God has given me more than I can bear; confronted me with more than I can overcome. I have tried so hard to know what to do, and to do it. But I have not the strength; and mind and body fail me. You must have seen,— must know, as everyone knows, my weakness; but few, if any, can realize what a desperate struggle I have made to overcome it. Can it be, Father, as poor Charles Lamb in his misery said, that those weakened, nervous beings, who invoke this artificial aid to raise their spirits in society to what is no more than the ordinary pitch of all around them, without it, sell themselves for a term of life?"

The priest, still keeping his hand on Herman's arm, waited some time, until his emotion had spent itself, his very presence and touch seeming to calm him, then said, his words dropping like oil upon the troubled waters of Herman's heart:

"God never gives to a being more than he can bear, never tempts him beyond his power to resist, never blocks his pathway with evils he cannot overcome, and until death ends the struggle, the sword of conquest is within his reach. You will learn, my dear young friend, as you grow older, and have read many hearts and sounded human nature to its depths, that the scheme of human existence, the problem that has perplexed philosophers and metaphysicians and maddened some, has an interpretation and solution in the doctrine of the Church; that God placed man in the hands of his own will, adding his commandments and precepts. Man is created with a task before him, to subdue the lawlessness of his senses, and to perfect the nobler part of his being, under divine guidance and by divine help. There is no one who is not afforded the means to fulfill this, his destiny, whatever his heredity, whatever his en-

vironment. Of course only the Omniscient Judge, by supernatural standards, can determine how well the task has been performed. Scriptures tell you and experience shows that many of those who appear very dear to God and often holding divine commissions have had the bitterest warfare with evil and the most desperate foes to overcome. Only those who ignore the aid of Providence and care not to beg it, sell themselves for a term of life. Yes, my friend, I have known of the battle you were fighting, and I have said nothing to you about it, awaiting an appointed time, as I felt that God himself would help you, and that you would be the winner. If you only felt the assurance that has rested with me that such would be the case, the shadow of despair would never be upon you. Since you have been led to me and have unburdened yourself to me, I will advise you as I am able. There are two things absolutely essential to the accomplishing of what you are striving for: One is to place your absolute faith and dependence upon the divine power and mercy, being assured in your mind, not simply that He will aid you spiritually, but that He will provide for you physically, as He does for the birds of the air and the lilies of the field; and that He will not let others suffer because of your inability to perform what you think is your duty to them. If you are too weak to work, you must feel that you can rest and regain your strength, without prejudice to yourself or others; that God will save you and them from loss and distress, and you must rest when the strain of work is too great for you. Next, you must call up the full power of your will in an effort of supreme self-denial. Self-sacrifice is the sword of man's redemption, it is the emancipation of the soul from the slavery of the senses, it is the ennobler and perfecter of man's nature, and enables him to keep the second of the great commandments and love his fellows. You must first determine in your mind that you will absolutely deny yourself in those desires that have heretofore dominated your will, and proceed to carry out practically your determination. There can be no compromising with them, no exchange for other excesses, but there must be the perfect enfranchisement of the will, beyond the control of any

kindred self-gratification. To do this almost superhuman courage and patience will be required. The sacraments of our holy church keep this courage undying and the lamp of hope burning, and calm and comfort and console, as well as give strength to the spirit to rise above the weakness of the body. It would be an easier task for you, my son, had you the grace that our holy religion confers."

"Father, I am ready to receive this privilege and aid, if the Catholic Church will accept me, weak and wayward as I am. I need no schooling for it. I have studied its constitution, doctrines and obligations; I have long since concluded that it was the only church in which I could find satisfaction of spirit and now I am prepared to turn to it as a refuge," replied Herman.

"My son, you do not know what happiness your words give to me," said the priest, grasping his hand warmly. "Come at once; I have but a few questions to ask you, a little instruction to give you and you may be immediately baptized; and to-morrow you can make your first communion."

Herman followed him to the Mission church and was baptized. When he reached home, he was very weak and prostrated, and his first thought was to refresh himself with a glass of brandy, and commence his ordeal the following morning; but he realized that he must then and there begin his self-denial, if he would succeed, and he restrained himself. By his Confession and Communion a load was taken from his spirit, a calm rested on his mind and hope came to cheer him.

The sacrificial offering was now to be made. He returned to his little home, where he and Capt. Seymour had been living together before the Captain's departure, now occupied by him alone, and did not go that day to his office. He took up Thomas à Kempis, and the first words that caught his attention were:

"Thou hast yet many things to forsake, which unless thou give them up to me without reserve, thou shalt not obtain that for which thou prayest."

This passage became a text in his thoughts, and after pondering it a long time, he said to himself:

"Why engage in this battle unless it is to win a com-

plete victory? Why go through a bitter ordeal to overcome a single weakness which is but one of a number of rebellious subjects of the will that may gain strength by its destruction? No; the time is come to gain a perfect mastery, and with God's aid I will accomplish it." After resting through the day, when the hour of sunset approached, he walked slowly up to the Mesa overlooking the town to a spot he had often visited at this hour and dreamed beautiful dreams in presence of the transfigured landscape, when the western glow had turned mountains, Mission towers, nestling village, curving beach, outreaching points, foam fringed ocean, seaweed girdle and sentinel islands, into a vision of fairyland from which rose sweet evening notes of nature's melody; the spot where so often the strange longing had come upon him to fly to some unknown country, he knew not where, whose features he could not picture. He sat down upon a rock and drank in the beautiful scene. He thought of what bright visions he had conjured to his fancy in this same spot and had forgotten all care and distress in their rapture; and he wandered back through his life and remembered what a joy his imagination had ever been to him; how when the world was dreary and the mind weary of life's drudgery, and he found no satisfying companionship on earth, he would take wings to this land of delight where he could always find rest and sweet fellowship and freshness and beauty and could build castles, and win hearts and achieve triumphs and pluck laurels and drink in exquisite happiness. These flights from earth, these visits to this realm of enchantment had been the radiance of his life. There with the entrancing picture in the sunset's glory before him, and beyond through the horizon's portals, the beauty, the melody, the delights of the beloved gardens of his imagination stretching out into limitless space, he closed and barred and bolted forever their gates, and returned to the solitude of his home divorced from the sweetest companionship of his life.

"It is the greatest of my dissipations," he reasoned, "my sweetest self-indulgence, and if my will gain perfect freedom, it must be sacrificed."

From that time on, for several months, Herman endured

suffering of mind and body that had in it merit to gain the choicest blessings in future peace. He planned for himself a system of absolute self-denial. For a great while he suffered from intense thirst, the incident of physical weakness; he would go to his office and work without resorting to a sip of water or taste of a fruit or anything to quench it, until he took his next meal. At table, if any delicacy tempted his appetite, he did not touch it; he went to no places of amusement and read no books simply for diversion, denying himself in everything he craved and that would bring him pleasure. The result was that he gained command of all his senses and had under complete control all desires and inclinations, and the consciousness came to him that never again would his will be enslaved. Through this period of hard penance his religion was to him strength, courage, consolation, sweetness and hope. Without it, he felt, he could not have endured the ordeal. After the first brunt of the battle, he renewed his old association with his friends, and they seemed more kindly disposed, more considerate and gentle in their demeanor towards him, and took greater interest in his welfare, and he realized how unreasonable had been his sensitiveness and how false his impressions in regard to their feeling. The blessedness of sleep returned to him and a peace and calm of mind came, such as he had never had before. With the banished intoxications of his imagination had not departed his love of the beautiful, and when the dreariness and aridity of mind had disappeared in returned strength, the sentiment that transfigured and idealized the material things in life about him, was warmer, deeper and purer for being the spirit of reality and not the phantom of fiction.

One evening at a time when his strength was coming back, he sat in front of his house watching the moon rise over the mountain, and thinking of the great change in his life. He wondered if because of it he would stand any higher in Martha's regard or be any nearer to her heart; and if there could possibly be a day in the future when the memory of that gray Sunday would lose its melancholy in the joy of a dream then cherished, a longing then voiced and at last realized. The steamer had come in and for

some time had been heard the noise of discharging freight and baggage. The rumbling of an approaching vehicle awoke him from his revery and soon the old Fifth Avenue stage drove up and halted in front of the house. An old man descended and went up to Herman, exclaiming, "My dear boy, my dear boy; how overjoyed I am to see you!" It was David Saterlee. But how different from the old man he had said good-by to in E. Although he had not altogether lost his habit of clenching and unclenching his hands, it was more like a peculiarity of gesture than a symtom of abnormal nervous excitement. His face was less drawn, his eye brighter and he had discarded his shabby dress for a neat attire. Herman welcomed him warmly. A trunk, a valise and some blankets were unloaded from the omnibus and deposited in the house.

"You see, my dear friend," said the old man, "I have come to stay with you in your home. They told me on the steamer that you were alone. I will never disturb you; I will be very quiet when you wish to be with your own thoughts. I can be an errand boy for you, and I can help you in many ways — more than you can think; for though I am old and broken, all my wisdom and knowledge of this sad world have not left me. If you are not prepared to-night for a guest, I have my own blankets and can sleep in them very peacefully under the same roof with my dear young friend and rescuer."

And the old man took up his abode with Herman, and his words came true; he did help him and became a blessing to him.

## CHAPTER LVIII

### DAVID SATERLEE AND BEATRICE

DAVID Saterlee was for a long time a mystery to Herman. He had his old days of mental and physical prostration, when he kept by himself, shunning all intercourse with people, but they were less numerous and did not seem to distress him as when Herman first knew him. At other times his mind was clear and active and he displayed a wonderful insight into business affairs and excellent judgment in everything. He also seemed to know exactly what Herman needed to rest and refresh his mind, and led him into the discussion of literary topics, and showed an astonishing familiarity with the literature of the world and a quaint originality of thought in his comments upon works and authors. With it all there was a pathetic child-like simplicity like that of a recluse who knew nothing of the outside world. He insisted on caring for his own room, and kept it a picture of neatness; and gradually assumed charge of the household, purchasing the things for the larder and directing the cooking. And it was marvelous what strong soups and properly cooked viands and tender vegetables, all strength-producing and digestible, appeared upon the table. He was very fond of flowers, and he worked about the garden; and there were always bunches of flowers about the house carelessly arranged, but with excellent taste, in queer little vases which he procured from somewhere. Col. Morgan and the Baron, whom he permitted to know him only in his brighter moments, took a great fancy to him. He had been with Herman hardly a day or two when he became very inquisitive about his private financial affairs, and gradually got from him exact statements of every debt he owed, to whom and under what conditions. Through Col. Morgan he made the acquaintance of Capt. Monaghan, Dr. Vanderpool, Herr Lasalle and others of

Herman's friends and creditors. One day, to the amazement of Herman, he called him into his room, where he had a little writing desk that he rarely used, and displayed to him in detail the promissory notes and evidences of debt representing all his debts, cancelled and receipted, at the same time handing him for his signature a promissory note for the amount paid in satisfying them, payable to the order of David Saterlee on or before five years after date, with interest at four per cent per annum.

"Now, my dear friend," he said to Herman, "I have taken a great liberty. I, however, knew how anxious you were to be able to pay your debts and what a source of worry they were to you, feeling that your friends, the creditors, might need the money; and as I am not as nervously strong as I used to be and in my lassitude wished to avoid a discussion, when all it required was simple action, I just paid them. I thought you might not mind being in debt to an old man who has no kindred now, and no home but yours and no one to take interest in him but you, and has no need of the money for his own little necessities. If you do not like the terms of your note to me, make them what you will, ten years if you wish and a lower rate of interest. I made it four per cent as that is what most of my securities net."

Herman was completely overcome. He got up and stood at the window, trying to suppress his emotion. When he was able to control himself, he turned to the old man, who sat looking at him, nervously fumbling with the papers, took his hand in his and said:

"May God bless you, my dear friend; I do not know how to express my gratitude — what to say to you. It is so strange to me. Indeed, I thought you were very poor; that you had barely enough to live upon, and it gave me pleasure to think that, maybe, I was contributing towards your peace and comfort and happiness in sharing my home with you. I never dreamed that you could make any other return than affection for me."

"I know it, my boy, I know it," said the old man, nervously, "and you are bringing a sweetness to my life I never expected to feel again. I will tell you briefly about myself, and then we will never speak of it again. But

first you must know that all your creditors were true, loyal friends. Not one of them would consent to receive the money until they were assured that I was acting unselfishly for your benefit to take anxiety and care from your mind. Now, about myself, I have a little fortune. I had money invested in good redeemable securities when I first met you. I have since sold the old property at a handsome price, for commercial purposes. I purposely acted the rôle of miser — partly, it may be, from the prompting of a disordered mind, but with method, to escape annoyance from sharpers; yet principally to keep my possessions for some good purpose, which God would some day disclose to me, that would be as a memorial to my dear ones, more lasting in human hearts than any monument. Your letter seemed to come to me as a direction of Providence, so I bade farewell to the spot where my darlings rest, having provided for its perpetual care — I could do this, for they are enshrined in my heart — and came to make my home with you."

One evening when the days were still long, little Beatrice came to the house, with a basket of fruit, sent by the Baron from Ruheplatz, with his regards to David Saterlee. Herman called him from his room. It was one of his days of lassitude. He had never seen the child before and when his glance rested on her he turned pale and staggered a moment.

"My God!" he said to himself, "what a wonderful likeness — a vision of my own child." And when she spoke, delivering her message in her simple way, he was still more overcome. At last, he said, in a faint voice:

"I thank you, my dear child, and I thank your dear father. It was good to remember a poor old man. And I wish you to come to see me again two days from now — I am not well to-day. Come in the evening just at this hour. I have a little present for you, and I want to talk to you about a little girl — one who is far away — who was so very, very like you."

Beatrice came at the appointed time, and the old man, his bright moments returned, welcomed her eagerly, gazed at her intently for a moment, an expression of longing on his face, and then took her hand and led her out into

the garden and had her sit beside him on a rustic seat. He took from his pocket a finely wrought, delicate little gold chain on which hung an enameled cross.

"I want you to have and wear this, Beatrice," he said gently, "because it belonged to the little girl far away who had a face and voice very, very much like yours, and who was more dear to me than you, my child, could understand; and whenever you take it off or put it on, you must say, 'God bless the old man's darling.'" And then he talked to her in a sweet and simple way, in a language a child could understand and about things that captivated her; and they walked together through the garden and looked at the flowers and plants and Beatrice chatted with her white-haired companion as if he were a playmate. When she went away, she promised to come to see him as often as she could gain permission, and thanked him again for the chain and said she would never forget the little prayer. They became fast friends, and Beatrice loved to be with him. He told her beautiful stories, such fairy tales as she had never read in her books, and helped her in her lessons, explaining her studies to her in a way that made them attractive stories. One of his tales was about a fairy godfather, and she had him repeat it over and over again, and each time he seemed to embellish it with new and more curious things. She gave him the name of Fairy Godfather and to his delight, always called him thus. He told her that many little girls had fairy godmothers, but it was a great privilege to have a fairy godfather; that it was only granted by the queen after the whole fairy court had given its sanction, and only to little girls whose hearts had in them love and compassion for old people and who helped to cheer them and, if they were poor or suffering, to aid them. That the only one who could be a fairy godfather was some lonely old man who loved children and who had become softened and very kind and gentle from sorrowing for wife and little ones taken from him by God to a heavenly home.

The Fairy Godfather had a confidential talk with Beatrice's father, after which he asked her if she would like to have him as a teacher, at which she clapped her hands and said it would be great fun to have a fairy god-

father to teach her. So it was arranged that she must go to school to him every day for an hour; and he selected books for her and taught her,— in such an interesting way that it charmed her and she could not help learning,— grammar, rhetoric, poetry, history, literature and the languages, moulding her mind to the comprehension, love and appreciation of the true and the refined and chaste in knowledge. It became a great delight to him; he renewed the happiness of his companionship with his dead child, and he became brighter and more like what must have been his brilliant personality before the heavy blow fell upon him. And his periods of prostration grew still less frequent and less distressing.

The months rolled by until Advent had come again. Herman had become a strong man, with heart for work, and mind at peace. Capt. Seymour had returned and taken up another branch of work in St. Agnes, and Bucknill and his bride were installed in a little home in the town. The tragic death of Walter Stanley had shocked and for a time subdued and saddened Anna. But her fondness of him, as her father and sister had believed, was but a girl's fancy and had not in it the elements of true love. The revelation of his real character was what affected her most and she clung closer to her father and sister when she thought of what might have been her fate. She received Capt. Seymour with some shyness, but with much of her old childlike naivety that characterized their intercourse before her infatuation for Stanley. The Captain had the tact not to quote the "Lady of Lyons" to her or display any mock gallantry. They, therefore, came together and enjoyed each other's society, with nothing to make them ill at ease.

Carmelita was horrified at the exposure of Stanley's blackheartedness and his terrible punishment; and she was mortified and ashamed at her own folly and she lost all her willfulness and permitted herself submissively to be guided by the wishes and wisdom of her mother and godfather. Pancho discreetly kept apart from her until she had time to recover from her mortification, and when he met her, it was as though nothing had ever occurred to affect their old friendship; and she appreciated it and her heart

warmed to him, and the love that he had tried so hard to awaken within her at last came and she returned his affection. Once more he asked her to be his wife. And this time there were no visions of gay dresses and jewels and luxuries and journeys abroad to entice her away from the simple and loyal devotion of this child of her own people, and she consented; and it was understood that the wedding day should be fixed as soon as the Supreme Court decided her mother's case, which Herman said would be very soon. In the meanwhile they sang and played together and took beautiful walks, two happy children. One day in one of their strolls they passed the home of Col. Morgan. The Colonel and Martha were leaning on the fence enjoying the sunset glow upon mountain and ocean. They stopped and exchanged a few words, and went happily on their way. Col. Morgan looked after them, with a smile on his face, saying:

"They are very merry children, Martha, and will be a happy couple."

Then, looking at Martha lovingly, he continued:

"It would really be a source of peace and pleasure to me, if my dear, good daughter Martha, who has all the graces to make a true man happy, would find a life's companion and protector noble enough for her, and be the mistress of her own home, before God calls me away."

Martha blushed and said:

"And do you wish, dear Papa, to have your daughter leave you in your old age? Does she not do something to bring comfort and pleasure to you; and would you not miss her just a little bit?"

"Indeed, my dear child, I did not think of such a great sacrifice and I hardly believe I could bear it, to have you go away where I could never see your sweet face and hear your loving voice and have often your presence by me. I do not see why you should fly to some remote spot; I do not imagine you are awaiting some foreign knight to bear you to another country. I would of course expect to know and admire, if not to have an affection for the favored one. Is there no one in our midst that has gained admittance to your heart, or if he knocked might find affectionate welcome?"

Martha blushed more deeply and cast her eyes on the ground, and said:

"Dear Papa, I have let no one win away my devotion to you and Anna, and it has been my purpose to never leave you as long as God blessed us with your life. I always thought that it would grieve you to have me divide my devotion to another. Is there in St. Agnes, Papa, anyone you know, and know to be a true man and one for whom you have an affection, and that you think would put up with my peculiarities?"

The Colonel looked at her fondly, and as she glanced at him furtively, she caught a quizzical gleam in his eye, as he said:

"Yes, I think I know one that would admire, respect and love my daughter, and who has character enough to appreciate her virtues, and who would be true, loyal and faithful and would never wantonly wound her."

"O dearest Papa, if you were a young man and came wooing to me for another, as you are doing, I would certainly say, 'speak for yourself.' And do you think, Papa, that this mythical being could be as patient as you and put up with all the whims and humors of your spoiled and willful child?" And do you not believe that this same wilful child who has had such a noble, thoughtful, refined, sweet-tempered father to love and look up to, would be making comparisons that would be to the disparagement of the usurper?"

"You need have no fear, my child; our imaginary consort would consider the peculiarities of his lady-love, original graces of her character that would make her more winning, and in her love for him, the characteristics of her old father that endear him to her will be but added to the treasures of her affections, and each give lustre to the other. But here comes one we both know well. I wonder if he was conjured by our words."

Herman was approaching. He came to them, his face lighted up with pleasure, and said:

"I have some very good news and I come with it first to my dearest friends. I have won the El Roblar Viejo suits; the supreme court has just decided in our favor."

Both father and daughter congratulated him warmly.

"It must make you very happy, Mr. Thomas," said Martha, "the blessing this will be to Señora Valenzuela and her daughter and to old Antonio, to say nothing of El Erizo."

"Indeed, I believe I can say truthfully," replied Herman, "that this to me is the sweetest part of the triumph, though to me personally it means a great deal. But I have another piece of news which gives me great pleasure. I have a letter just received that I know will interest and amuse you," and he handed it to Martha who said:

"Oh, read it aloud, Mr. Thomas, so that we may enjoy it together."

Herman said he was sorry, but he had not the time; that he must see Señora Valenzuela and Antonio at once, and hurried away, leaving it with her, and she read it to her father. It was dated at San Salvador, 187—, and was as follows:

"*My dear Old Comrade:*

"I wonder if I have been buried away in one of your dust-grimed pigeonholes where discarded instruments and antique records are stowed and only accidently thought of or looked at; or if I occasionally bound into your memory an imp of grotesque inconsequence; or if it is, as this queer composition of devil-may-care fickleness, loyalty, indifference and sentiment would have it, that I steal at times into your thoughts with the 'enchanted violin,' and charm you back to the dear old times,— not so very old, but, it seem to me, very far back in the past,— when we invoked so much joyousness and mirth and music and warm good-fellowship from the wonderful resources of little St. Agnes. Ah, those were really bright and diverting times, to the few of us who could catch and comprehend the flashes of genius and quaint conceits and original humor in the eccentric characters that had their habitation in that nook among so many charms of nature. In thinking of them, I only see the happy pictures and feel the bewitching atmosphere of sentiment, and the moments of unrest and gloom and self-weariness and disgust have faded away. I hope that the choice spirits I left behind when I rode off on that wingless Pegasus still hold sweet concourse, and dream enchanting dreams

to the magic of the Baron's 'Traümerei,' and that the pathetic voice of old Joe instills tear-provoking tenderness in your sympathetic hearts; that the Captain has come back to quote poetry and send forth deep sighs with the smoke of his pipe, whilst in his melancholy he cracks dry jokes and diverts with his mimicry. And how is our old friend,— that prince of chivalry and kindliness,— Col. Morgan, and his fair daughters, whose home inspired the display of all the refined and elevating in our talents when we gave them freedom in the warmth of its hospitality? And is Dr. Barton and his plaintive tenor still with you? And the wild Highlander with his corrugated calves, and the patriotic Welshman, with his boasting and his broad shoulders? And our worthy host of the St. Louis, who has lined our aristocratic stomachs with so many choice viands? My blessing on you all. And now, *ami cheri*, I am sure you are impatient to know to what strange destiny my Pegasus has borne me, and I will tell you. He did not stop until he reached this tropical land of plenty, where hearts, like the weather, are warm and the stranger, unless he himself be cold and repellent, is welcomed with open arms. When first I dismounted in this beautiful spot I felt that my journeying for fortune and heart's ease was at an end. You know how the *demi-tasse* was always with me the most delicious part of the feast, and the care our good Latour devoted to make its strength herculean and its bouquet ravishing. The air was impregnated with the delicate aroma of the coffee bean and I said to my Pegasus, 'Go hence and graze where you will, here I remain; in coffee will I find my fortune and its perfume shall be my solace and my intoxication.' And I spoke in prophecy. With this *dolce far niente* people my commercial experience, modern business methods, energy and rapid decision and action, I soon made tell; succeeded in finding a place in the establishment of a prominent coffee merchant, have now an interest in the concern, and this day find myself able to send something towards making good the loss I innocently brought upon my good old St. Agnes partner. But this is not my fortune; this does not constitute the solace or my intoxication; these are with me and come not from the fragrant beans that turn to gold, sweeter, more

subtle than any spirit that rises from the wealth of matter. You have often spoken of the magic music of my enchanted violin. But there is a music, the first breath of which now steals upon my ear, whose spell is more entrancing, more soul satisfying than my dear violin has ever poured forth. Oh, the divine melody, the heavenly harmony of — the wedding bells! She is beautiful, and very gentle and gifted and childlike, and — try imagine it — she loves this poor wayward waif. Ah, *mon ami*, I know my violin has sent forth beautiful strains and the Baron's cello has power to woo you to happy dreamland and poor Joe works a spell upon your senses, and sweeter to you than these, the voice of a dear one that carries in song to heaven the plea from your own heart,

'And the spell-bound soul, too, free
Of mournful me,'"

(here Martha's face reddened and her voice hesitated); "but more exquisite than all, than even the beloved maiden's song, are the carols from the sky, the wedding bells. Go, my dear friend, and tell this maiden about this music from the heavens; tell her that there is no harmony on earth so perfect as the blending of two souls and no expression of it more melodious, more joyous, more exultant, more entrancing than the wedding bells. They have just burst forth in all the glory of their pæan of joy, and the carriage is awaiting me, and I go to my new life, closing the old one, as my heart prompted, with a message of love to him who brought into it a brightness and a despair-dispelling, saving spirit.

"Your devoted
"SIGISMUND."

## CHAPTER LIX

### WEDDING BELLS

"FAIRY GODFATHER, are Mr. Herman and Miss Martha going to be married?" said Beatrice as she was going away, after her lesson.

"Why, gracious me, heavens above, child; what a question to put to your Fairy Godfather!" exclaimed the old man. "I know a great deal about the doings of fairies, but that is something I could not answer. What put such an idea in that wise little head?"

"Well, Fairy Godfather, Mamma says she knows they are in love with each other, and Papa says women always are right about these things, and he guesses it is true; and both Mamma and Papa say that they just suit each other and would make a splendid couple. And I would so like to go to a fine wedding."

"Well, my dear, when I find out all about it I will let you know; and I would see that my little godchild receives an invitation, not only to the wedding but to the wedding breakfast. Good-by, and be careful not to ask this question of any others; they may not be as discreet as your mamma and papa and your silent old Fairy Godfather."

This set David Saterlee thinking very seriously and he went into his room and sat down at his writing desk, and wrote his will. It did not seem to be much of a task to him and apparently afforded him great gratification. After a legacy of a tenth of his property to the St. Agnes Orphanage, he left the remainder, one-half to Herman and one-half to Herman and the Baron in trust for Beatrice, for her education and her maintenance, during her life, and the principal, upon her death, to her children, if any; and if none, to her parents.

While the old man was thus engaged, Herman sat in his office planning in his mind the course to pursue to get the

greatest value out of the interest in El Roblar Viejo he had been the means of rescuing. Dr. Vanderpool had just left him, with whom he had been discussing the matter, and who wished to include, if practicable, the Domingo Ortega tract in any negotiations he might enter into for the sale of the Valenzuela and Antonio interests. He still believed it had great speculative value, but he was growing old and he, like Herman, had made unfortunate ventures and was in debt. El Erizo had expressed his desire to retire from the freight transportation business, sell his rancho and with his sons start a livery stable and teaming business in St. Agnes, where, under the watchful eye of Father Aloysius, he was not in so much danger of getting into the clutches of the devil. "Now," thought Herman, "I am well prepared to entertain a proposition from Sir Roger Stanworth;" and he took up his pen to indite him a letter. A shadow was thrown across the sheet of paper; looking up he saw standing in the doorway a gentleman immaculately dressed, wearing a glossy silk hat and carrying a jeweled cane. It was Sir Roger himself, looking not a day older and with the same twinkle in his eye.

"Why, my dear Sir Roger!" exclaimed Herman, leaping to his feet, "I am certainly delighted to see you; I had just taken up my pen to write to you. Have you come back to teach Mulcahy some new tricks with the shillalah?"

"Not solely for that purpose, although our friend from the Emerald Isle did, I confess, renew my relish for the manly sport and I have taken a few lessons since I saw you. There is another gentleman whom I met a few minutes ago, who I am sure views me with suspicion and thinks that I may be on another errand — our old acquaintance who built the 'ouse with the ollow walls.' He was standing in front of its site, looking surlily at what is left of its ruins, and was rather startled when I came up beside him and inquired if he had collected the insurance. Taken off his guard he blurted out, 'The hinsurance was paid, but that hold og General Donaldson swiped hall the profits.'"

Herman laughed heartily and informed Sir Roger that when it came to investigating the loss by the insurance com-

pany, the people were astonished at the receipted bills produced by the owner, verified by him and his architect and the furniture dealer. No one had any idea of the expensive work that went into the house and the rare furnishings, bric-a-brac and pictures with which it was garnished. The company did not pay without a contest and General Donaldson acted as his attorney and succeeded eventually in collecting it.

"The General," concluded Herman, "I know to be a long-headed man and doubtless managed to have the fund go through his hands and exercised his right of stoppage *in transitu.*"

"Well, Mr. Thomas," said Sir Roger, "I have no doubt you divine the true object of my return to St. Agnes. I am in position to treat with you and your clients concerning El Roblar Viejo Rancho. You can take to yourself the credit of having clipped the wings of that gentleman whom some of our acquaintances are unkind enough to term a bird of prey, so that he became amenable to reason, and I now hold an option on the company's interests; and whether or not the deal goes through depends upon you and your clients with whom I am willing to treat for their holdings for the same price in proportion as I will pay the company."

"It will not take us long to decide," replied Herman, "and I am ready to give you a good title, as the court of last resort has just decided in our favor. You can also, if you wish, acquire the Dr. Vanderpool and the Olivera tracts."

"Yes, we desire to purchase all, if it can be done at a reasonable figure."

They discussed the matter and came to an agreement as to price and terms of sale, which was put into writing; they then went out to find Dr. Vanderpool. As they reached the corner of Main Street, they saw Mr. Crawson approaching. When opposite the drugstore, General Donaldson bounded out, seized the cockney by his black beard, and delivered a series of vigorous blows on eyes and nose that sounded like the thuds of a pile driver.

"You insulted me, sir!" ejaculated the General: *thud.* "You dared to insult an officer and a gentleman!" *thud.*

"You cannot insult a Southerner with impunity!" *thud.* "I will teach you a lesson, sir!" *thud.*

"Don't, General, don't, please, don't!" kept crying the victim, struggling to break loose. Finally he broke away, leaving with his assailant a handful of whiskers, and placed between himself and the enemy a hitching bar where he stood, the blood running over his face, ready to dodge any further attack by the General. Feeling assured that his unwieldy proportions would prevent the enemy's getting at him again, he commenced to upbraid him:

"You're a d—d coward! Yes you hare. You're a d—d, bloated og and a bully! Why don't you strike one hof your hown size?" Whereupon the Honorable Wm. McElhenny, who was enjoying the incident with a number of others that had gathered about, caught a small boy by the arm and said to him:

"Run as hard as you can to the St. Louis Hotel and tell Mr. Latour to come here at once. He's the only man of the General's size in town."

That same evening the deal with Sir Roger for all the properties he sought to acquire was closed, and a substantial sum paid as earnest money; and before the new year came the balance was remitted. Michael Reese received the money loaned with its fat interest, and always said afterwards that he had been the means of making that young lawyer Thomas. Howells was properly rewarded; but he spoke truthfully when he said that for Herman he would gladly have done what he did and much more, without hope of reward. They were fast friends, and subsequently when the detective had retired from active work and spent much of his time in St. Agnes, he took pleasure in rehearsing to him the most interesting and exciting of his ventures in the secret service, and Herman chronicled them, he said, to some day weave them into a romance.

The bans of Pancho and Carmelita were published the Sunday after Sir Roger's visit, and in Christmas week, amid all the rejoicing of the happy season, followed by the sincere wishes for a life filled with happiness of true friends of their own kindred and people and many whose affections they had won of those that had come from

abroad to make their home in St. Agnes, and bearing the fervent blessing of him who had been the keeper of their consciences, their good angel, their rescuer, they went to the altar with childlike joy in their hearts and vowed to each other fidelity and love in the atmosphere of sanctity, and by holy sacrament became man and wife.

The Baron and his wife and Beatrice, who was spending her holidays at Ruheplatz, had come into town to the wedding and were the guests of Col. Morgan. The Baron brought his cello, as Martha had arranged for an evening of music, thinking it would be a fit supplement to the wedding bells. How she had listened that morning to those wedding bells as she thought of Sigismund's rhapsody, and she wondered if she could detect the "divine melody, the heavenly harmony" of those "carols from the sky," and if, in truth, they ever voice this perfect harmony, the "blending of two souls."

They were the same old friends the reader knows that gathered at the Colonel's that evening, except that the wizard with the enchanted violin had gone and the Fairy Godfather had come. The Fairy Godfather was very fond of music, and there was no better critic, and he was a sympathetic listener. All seemed to have been inspired by the day's joyous event, and sang with spirit and feeling, and the Baron's cello had, if anything, more sweetness and yearning in it drawn from the echoes of the wedding bells; and Dr. Barton's guitar kept his voice captive to the sweetest of the Chilian love songs. Beatrice too felt the spell, and in an interval in the concert proposed that they play wedding.

"Fairy Godfather will be the priest," she said, "Miss Martha will be the bride and Mr. Thomas the groom, and I will be the bridesmaid; and Grandpa Colonel will give the bride away and Papa will play the wedding march. Oh, it will be such fun. And Miss Anna, you can be one of the guests, and say, 'How sweet the bride looks!' Well, if you won't play getting married, Miss Martha, won't you promise to let me be your bridesmaid at your real wedding?"

Martha's face seemed quite flushed, and she said:

"I do not know anyone whom I would rather have as a

bridesmaid than my dear Beatrice, if she can wait a long, long time;" and she turned on the piano stool, where she had been sitting, to the piano and played a waltz and then got up and walked into the garden. Presently Herman, unnoticed by the others, went out. Martha was standing under the pepper tree in the midst of the moving lacework of its shadows, looking pensively at the ocean, a gleaming sheet of silver. Herman joined her, and offering his arm, asked her if she would not walk with him. She nodded assent and took his arm, and they strolled about the garden. It was just such a night as that of the Morgan's first musicale. The same clear sky, the same mischievous moon, the balmy air, the gentle ocean breeze, the dancing shadows, the orchestra of frogs and insects. As they passed the wall where Herman discovered Sigismund in his despair, he thought of the great joy that had banished his wild unrest and self-hatred and the magic that had wrought it. Turning to Martha, he pointed out the spot, told her of the incident, and then asked her if she did not think that love was the greatest wizard in the world, and if the enraptured words of Sigismund in his letter were not true: that there was no harmony on earth like the blending of two souls.

"Musicians and poets," she said, "while in their ecstasies believe such things; but when they descend from their flights and find beside them not an angel, but a woman, with her weakness and her whims, her commonplace, her worldliness, the wedding bells, with most, sound from the past dead and tuneless, and their echoes often bring, instead of joy, regret."

"In such a case," said Herman, "there never was the perfect harmony. But if the two have kindred tastes, common purposes, like standards of right and wrong, and both are moved by sacred things and their love refined and spiritualized above the earth and its objects, the union of two lives brings enduring happiness. In the sweet companionship, there is no commonplace, and the irritating rough and rasping things of life are in the sweet influence of affection like those jagged spots on the mountain's side that, softened by the moonbeams, blend into the beauty of its features."

"You, Mr. Thomas, like your friend Sigismund," said Martha, "I fear interpret real life by the touch-stone of your fancy. Like that poet musician, you are a dreamer."

"I was a dreamer, and dwelt in the pleasures of my imagination and it was the great intoxication of my life. But I am no longer such; this and other follies of my youth I have torn from me. You remember the Sunday when we walked together from the Mission, and I provoked from you the words that put such great sadness in my heart. I call it my 'gray Sunday.' I am a different man from what I was then, stronger, more certain of myself, conscious that I can deny myself in all things that would degrade me or bring unhappiness to others; that I am so much better prepared to bear and forbear in my intercourse with my fellows. The purpose of my life has defined itself and, with God's assistance, I will carry it out. It has in it no hopes of great distinction, no prospects of public preferment or brilliant accomplishment, something scarcely possible in my limited sphere of labor, but it is one that can bear fruit in an humble way to make of my profession a ministry to others' happiness. Believing in myself now, and knowing how close together we are in the things that afford the true happiness in life, and the consciousness that I could be some help and comfort to you and that my love for you alone would ennoble my nature above the commission of any act that would shock or wound you, I have at last gained the courage to ignore what was your answer on that gray Sunday, and beg you again to be my wife."

Martha for many minutes did not respond, then she said gently, with faltering voice, that since that gray Sunday the affection that she then bore for him had grown into something deeper and more tender; that she had sounded her heart and now could give him her love, conscious of its sincerity; and, as her father had let her know that instead of distressing him their marriage would bring him pleasure, she would become his bride.

Following the announcement of Herman's and Martha's engagement David Saterlee seemed to have a great deal to do in his room at his writing desk, and there were several conferences held there while Herman was engaged uptown

in which the Baron and Col. Morgan took part; and finally there were produced with the assistance of the Baron's skill as a draughtsman, wonderful plans of an enlargement of Herman's home, (it now belonging to him alone,) and an artistically designed annex connected with it by a tile covered corridor that resembled a Mission cloister, in which were to be a suite of rooms for the Fairy Godfather and a schoolroom for his godchild. These plans to be a secret, and to be carried out with great expedition during the wedding trip, and the remodeled home to be ready to surprise and receive the bride and groom on their return. While this was going on all the ladies were very busy, Martha about her trousseau, and Anna and Madame Municheisen and Beatrice on the bridesmaids' dresses of Anna and Beatrice.

At last the day that was to be the brightest, the happiest in the lives of Martha and Herman, and whose brightness cast a radiance over the long years of a blessed union, came. The wedding was at the Old Mission, and the ceremony was to be performed and the nuptial mass celebrated by Father Aloysius. The Mission bells of St. Agnes had always seemed to Herman to be sweeter, more mellow, more golden than any he had ever heard ring out from tower or belfry, but in their joyous peal this day they sent forth an exultant outburst of tenderness that carried his spirit heavenward. And on that Southern midwinter morning when the sun lit up the springtime landscape with a flood of sparkling light, and the resplendent ocean mirrored its beams, as they tempered the breeze that stole over its bosom, nature in its gala robes sang to them a blessing. In the presence of loyal and loving friends, in that grand old temple reared by the missionary friars and their Indian wards that signified so much of self-sacrifice and holy zeal, sanctified by the salvation of souls and the civilization of a savage race, and sacred with tradition and romance, before the tabernacle which had held the sacred host since Christianity had reared its cross in this land of loveliness, in the incense of true love, the union of these two lives, that no man's hands had right to sever, was sealed, and the benediction of God rested on them.

As the steamer glided out that evening through the sea-

weed's girdle of burnished gold, bearing away Herman and Martha into their new life, a group of their friends stood on the wharf, waving their handkerchiefs; except the excited Highlander, who kept dancing and throwing his Scotch cap in the air, and El Sastro, who was using his bandana to dry his eyes, as he wept over his deceased ancestors, and Dr. Vanderpool, who shook his glove. Gen. Donaldson and our host of the St. Louis stood together and clapped their hands. Poor Joe had been brought down very gently in a carriage and drawn close to the water's edge, the ladies and Capt. Seymour, the Baron, Col. Morgan, the Fairy Godfather, Herr Lasalle, Dr. Barton and Bucknill gathering about him; and raising his hand, a strain of harmony burst forth and was borne across the golden water to the out-gliding steamer, to where stood those into whose hearts the parting day had brought so much of joy. And when the last notes, "Farewell, farewell, my own true love," died away, soaring heavenward, and borne, as if by angel pinions, across the sea, came the plaintive words of Poor Joe's own song, "Do not wound the heart that loves thee;" and the tender pathos that gives to happiness divine fragrance brought tears to their eyes, and they asked from God a benediction on those who held them so dear, and on that beautiful valley fading from their view, to which they were coming back to make it the home of their united lives, that beloved spot rich in blessings to them and peace-bringing to all, where the footsteps of the padres fall.

If any reader of these pages closes the book with a shade of regret that its scenes are ended and its characters gone, let him think of the sadness in the heart of Old Dreams, as he lays down his quill. To wander, young again, in these scenes and to mingle with these characters, many in the freshness of youth, now furrowed and whitened with age, and many, upon whose footsteps he is closely treading, passed beyond life's border, has been to feel once more the aspirations, the enthusiasm, the zest of youth and the keenness of its joys and pleasures, with pathos to take the place of pains, and shadows where perils and hardships were,— to live again the better part of life without a burden or pang or dread. He can no longer feel the magician's delight

in conjuring living beings in settings of life from the past, and if he gazes on their visions, they are but time-dimmed pictures. He comes back to his old age; he feels that his steps are growing feeble, and that the Western horizon is very near, and those with furrowed cheeks and whitened hair he cannot recognize as the young of heart and lithe of limb he communed with in the land he has just left. For a while his solitude will be deeper, and a longing will linger in his heart which had been the shrine of peace before he took up his magic wand; but, perhaps, all the sadness, regret and longing and the consciousness that he is drawing near the Royal Highway's end, will blend as minor notes into the sweet harmony he has borne back with him from his sojourn in the ideal land of his past.

THE END

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